

FAULKNER COUNTY CODE OF ORDINANCES
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Chapter 2: ADMINISTRATION

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Article I. QUORUM COURT

A.C.A. § 14-14-702. Authority to establish – Restrictions.

The county quorum court of each county may prescribe, by Ordinance, the department, board structure, and organization of their respective county governments and may prescribe the functions of all offices, departments, and boards. However, no Ordinance shall be enacted by a quorum court which:

- (1) Divests the county court of any of its original jurisdictions granted by the Arkansas Constitution. However, where any county Ordinance establishing a department or board and the assignment of functions thereof interferes with the jurisdictions of the county court, it shall be implied that the functions and acts may be performed on order of the county court or proper order of superior courts on appeal;
- (2) Alters the organization of elected county officials established by the Arkansas Constitution, except through the provisions of Arkansas Constitution, Amendment 55, § 2(b). However, any function or duty assigned by statute may be reassigned by Ordinance; or
- (3) Limits any provision of state law directing or requiring a county government or any officer or employee of a county government to carry out any function or provide any service. However, nothing in this section shall be construed to prevent the reassignment of functions or services assigned by statute where Arkansas reassignment does not alter the obligation of the county to continue providing such function or service.

A.C.A. § 14-14-904(a),(c). Procedures Generally.

(a) TIME AND PLACE OF QUORUM COURT ASSEMBLY.

- (1) (A)(i) The justices of the peace elected in each county shall assemble and organize as a county quorum court body on the first regular meeting date after the beginning of the justices' term in office, or the county judge may schedule the biennial meeting date of the quorum court on a date in January other than the first regular meeting date of the quorum court after the beginning of the justices' term.
- (ii) At the first regular meeting, the quorum court shall establish the date, time, and location of meetings of the quorum court.
- (iii) The organizational Ordinance adopted at the first regular meeting of the quorum court shall be effective upon adoption.

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(2) By declaration of emergency or determination that an emergency exists and the safety of the general public is at risk, the county judge may change the date, place, or time of the regular meeting of the quorum court upon twenty-four-hour notice.

(c) **SPECIAL MEETINGS OF THE QUORUM COURT.**

(1) The county judge or a majority of the elected justices may call a special meeting of the quorum court upon at least twenty-four (24) hours' notice in such manner as may be prescribed by local Ordinance.

(2) In the absence of procedural rules, the county judge or a majority of the elected justices may call a special meeting of the quorum court upon written notification of all members not less than two (2) calendar days prior to the calendar day fixed for the time of the meeting. The notice of special meeting shall specify the subjects, date, time, and designated location of the special meeting.

(3) (A) Notice of assembly of a county grievance committee or assembly of less than a quorum of the body, referred to under this section as a “regular committee” or “special committee”, may be provided upon oral notice to the members of at least forty-eight (48) hours unless an emergency exists.

(B) If an emergency exists, written notice of at least twenty-four (24) hours stating the basis of the emergency shall be provided.

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A.C.A. § 14-14-801(a). Powers Generally.

(a) As provided by Arkansas Constitution, Amendment 55, § 1, Part (a), a county government, acting through its county quorum court, may exercise local legislative authority not expressly prohibited by the Arkansas Constitution or by law for the affairs of the county.

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Section

200.00 Pay for jurors.

200.01 Organizational ordinance.

200.02 Manner of calling a special meeting.

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200.03 Secretariate of the Quorum Court.

§ 200.00 PAY FOR JURORS.

- 1) **LEGISLATIVE INTENT.** Pursuant to the requirements of Act 1033 of 2007, A.C.A. § 16-34-101, et seq., and in order to qualify for reimbursement from the State of Arkansas for a portion of said jury costs, the Faulkner County Quorum Court hereby establishes the following minimum requirements necessary for compensation as jurors and corresponding rates of compensation for service as jurors or prospective jurors in Faulkner County, Arkansas.
 - a. The person must have received official notice that he or she has been selected as a prospective juror and summoned to appear;
 - b. The person must actually appear at the location which they were summoned; and
 - c. Their attendance must be noted in writing by the Circuit Clerk.

- 2) **RATES OF COMPENSATION.** The following rates of compensation are established for jury service in Faulkner County, Arkansas:
 - a. Persons who are selected and seated as members of the jury including alternatives, shall be compensated at the rate of fifty dollars (\$50.00) per day;
 - b. Persons who are summoned and appear, but who are not selected and seated as a member of the jury shall be compensated at the rate of fifteen dollars (\$15.00) per day***, and
 - c. Persons summoned for jury service but who fail, for any reason, to attend court shall not be entitled to receive compensation.

- 3) **STATE REIMBURSEMENT PROCEDURE AND RESPONSIBILITY ASSIGNMENT.** Pursuant to A.C.A. § 16-34-106 the Circuit Clerk of Faulkner County, Arkansas shall be responsible for remitting, in a timely manner, all documentation required by the Administrative Office of the Courts in order to receive reimbursement for the jury cost incurred under A.C.A. § 16-34-103 (b) and 2(1) of this Ordinance.

- 4) **REPEALER.** All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

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- 5) **EFFECTIVE DATE.** This Ordinance is adopted to comply with provisions of A.C.A. § 16-34-101, et seq. and shall be effective as of January 1, 2008.
([Ord. 1992-014](#), passed 07-22-1992; Am. [Ord. 2007-026](#), passed 11-20-2007)

§ 200.01 ORGANIZATIONAL ORDINANCE.

- 1) Unless modified by subsequent Ordinance, the regular monthly meeting of the Quorum Court shall hereafter be held on the third (3rd) Tuesday of each month at 7:00 pm.
- 2) The regular monthly meetings of the Quorum Court shall be held at the Faulkner County Courthouse, Courtroom A. If Courtroom A is unavailable, the Justices of the Peace will be timely notified of the meeting location by the Secretariat.
- 3) The regular monthly meeting of the Budget and Finance Committee shall be held on the second (2nd) Tuesday of every month at 6:00 pm.
- 4) The regular monthly meetings of the Budget and Finance Committee shall be held at the Faulkner County Courthouse, Courtroom A. If Courtroom A is unavailable, the committee members will be timely notified of the meeting location by the Secretariat.
- 5) The following regular Committees are hereby established to serve the Faulkner County Quorum Court: Budget & Finance, Infrastructure, Courts and Public Safety, and Personnel.
- 6) The Quorum Court and all the Committees thereof shall be procedurally governed by the most current edition of the Democratic Rules of Order.
- 7) **EMERGENCY CLAUSE.** It is hereby recognized that immediate establishment of dates, times, and locations of the regular meetings of the Quorum Court and the Budget and Finance Committee thereof is necessary and is required by State law. Therefore, an emergency is declared to exist, and this Ordinance being necessary for preservation and protection of the public health, safety, and welfare of Faulkner County, this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 1977-001](#), passed 01-03-1977; Am. [Ord. 1978-001](#), passed 01-03-1978; Am. [Ord. 2001-001](#), passed 01-01-2001; Am. [Ord. 2013-001](#), passed 01-03-2013; Am [Ord. 2015-001](#), passed 01-20-2015; Am. [Ord. 2015-013](#), passed 04-21-2015; Am. [Ord. 2017-001](#), passed 01-17-2001; [Ord. 2019-001](#), passed 01-15-2019)

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§ 200.02 MANNER OF CALLING A SPECIAL MEETING.

- 1) Special meetings of the Faulkner County Quorum Court may be called by the County Judge or by a majority of the elected Justices of the Peace upon at least twenty-four (24) hours' notice.
- 2) Such notice shall include the time, date, and place of the special meeting; provided, that the meeting shall not be held outside the boundaries of Faulkner County. The notice shall also include the general purpose of the meeting; however, this does not preclude the Quorum Court from acting on or considering other matters which may appropriately come before the body at such special meeting.
- 3) Notice of a special meeting given at any regular or special meeting of the Quorum Court shall constitute due notice to the members present. The County Clerk shall be responsible for giving timely notice to absent members, as well as giving public notice, containing the information specified in Section 2, above.
- 4) Notice of a special meeting of the Quorum Court called by the County Judge at other than a meeting of the Quorum Court shall be accompanied by the County Judge notifying the County Clerk, in writing, if time permits, who shall be responsible for notifying each Justice individually, in writing if time permits, and giving due public notice.
- 5) Notice of a special meeting of the Quorum Court called by a majority of the Justices shall be accomplished by one member notifying the County Clerk, in writing if time permits. Such notice shall also include the name of each Justice making up the majority calling the meeting. The County Clerk shall be responsible for notifying the County Judge and the other Justices not making the call individually, in writing if time permits, and giving due public notice.
- 6) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the public peace, health, and safety, shall be in full force and effect from and after the date of its passage and approval.
([Ord. 1977-002](#), passed 01-03-1977)

§ 200.03 SECRETARIATE OF THE QUORUM COURT.

- 1) In accordance with Statute 14-14-902 (b), the Quorum Court may designate the Secretariate of the Quorum Court by Ordinance, provided, however, that such person designated shall be a staff member of the County Clerk or County Judge.

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- 2) The office of the County Judge is designated to fulfill the functions of the Quorum Court's Secretariate, retro-active to January 1, 1993, until such time a re-designation occurs.

- 3) EMERGENCY CLAUSE. Due to the necessity of on-going administrative support to the Faulkner County Quorum Court, an emergency is hereby declared, and this Ordinance shall be in full force and effect after passage and approval.
([Ord. 1993-009](#), passed 04-20-1993)

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Article II. COUNTY OFFICERS AND PERSONNEL

A.C.A. § 14-14-603. Offices included.

- (a) Within the purposes of this chapter, the term “elective county office” shall mean any office created under the provisions of Arkansas Constitution, Article 7 § 19, as amended by Amendment 24, § 3, and Arkansas Constitution, Article 7, § 46.

- (b) The elective county offices established by these constitutional provisions are:
 - (1) One (1) sheriff who shall be ex officio collector of taxes, unless otherwise provided by law;
 - (2) One (1) collector of taxes, where established by law;
 - (3) One (1) assessor;
 - (4) One (1) coroner;
 - (5) One (1) treasurer, who shall be ex officio treasurer of the common school fund;
 - (6) One (1) surveyor;
 - (7) One (1) clerk of the circuit court, who shall be clerk of the probate division of circuit court and ex officio clerk of the county court and recorder, unless otherwise provided by law; and
 - (8) One (1) county clerk, where established by law.

A.C.A. § 14-14-604. Elective county officers; exclusions.

Offices expressly excluded from the provisions of this subchapter are:

- (1) The judge of the county court created pursuant to Arkansas Constitution, Article 7, § 28, such office being an “elective county office” but not deemed separable from the county court which serves as a principal element of county government and constitutional organization;

- (2) Justices of the peace who are deemed district offices; and

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- (3) Constables who are deemed township offices and who are not within the provisions of Arkansas Constitution, Amendment 55 § 2(b).

A.C.A. § 14-14-902. Quorum Court administration.

- (a) SECRETARIAT. (1) The secretariat of the county quorum court shall be the clerk of the county court of each county unless otherwise provided by county Ordinance.

(2) ALTERNATIVE DESIGNATION. A quorum court may provide by Ordinance for the establishment of minimum qualifications and an appropriation for the employment of a secretariat of the court. The employee so designated shall be a staff member of the county clerk or the county judge as may be specified by the Ordinance. Where the separate position of secretariat is created by Ordinance, all legislative duties prescribed in this chapter for a county clerk shall thereafter become the duties of the secretariat.

- (3) DUTIES OF THE COUNTY CLERK. Unless otherwise provided for by county Ordinance, the clerk or the deputy clerk shall:

(A) Attend all regular and special meetings of the court;

(B) Perform all administrative and recordkeeping duties prescribed in this chapter; and

(C) Perform all other duties as may be required by the quorum court through county Ordinance.

- (b) COUNSEL. (1) LEGAL COUNSEL. The prosecuting attorney or his or her deputy serving each county shall serve as legal counsel of the quorum court unless otherwise provided by county Ordinance.

(2) ALTERNATIVE DESIGNATION OF LEGAL COUNSEL. A quorum court may provide by Ordinance for the appropriation of county funds for the employment of legal counsel to serve the court.

- (3) DUTIES OF LEGAL COUNSEL. The legal counsel of a quorum court shall:

(A) Attend all regular and special meetings of the court;

(B) Perform all duties prescribed in this chapter; and

(C) Perform all other duties as may be required by a quorum court.

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(c) OTHER ADMINISTRATIVE SERVICES. A quorum court may authorize and provide through Ordinance, for the employment of any additional staff or the purchase of technical services in support of legislative affairs.

A.C.A. § 14-14-1202(a). Ethics for county government officers and employees.

(a) PUBLIC TRUST. (1) The holding of public office or employment is a public trust created by the confidence which the electorate reposes in the integrity of officers and employees of county government.

(2) An officer or employee shall carry out all duties assigned by law for the benefit of the people of the county.

(3) The officer or employee may not use his or her office, the influence created by his or her official position, or information gained by virtue of his or her position to advance his or her individual personal economic interest or that of an immediate member of his family or an associate, other than advancing strictly incidental benefits as may accrue to any of them from the enactment or administration of law affecting the public generally.

A.C.A. § 16-13-709(a)(1)(A)(i), (a)(1)(B)(i). Responsibility for collection.

(a)(1)(A)(i) The quorum court of each county of the state shall designate a county official, agency, or department, which shall be primarily responsible for the collection of fines assessed in the circuit courts of this state.

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(a)(1)(B)(i) The quorum court may delegate the responsibility for the collection of delinquent fines assessed in circuit court to a private contractor.

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A.C.A. §§ 25-19-101-111. Freedom of Information Act.

Section

200.00 County positions added.

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- 200.01 County civil attorney.
- 200.02 County jail doctor.
- 200.03 County treasurer; additional duties.
- 200.04 Eligible grant funded employees in the prosecuting attorney's office to be county employees.
- 200.05 County clerk; additional duties.
- 200.06 Separating the office of Collector and Sheriff and to provide for selection of the collector.
- 200.07 Creating the position of deputy prosecuting/civil attorney.
- 200.08 Making the County Surveyor an appointive office.
- 200.09 Making the County Coroner an appointive office.
- 200.10 Election Coordinator position established.
- 200.11 Public defender legal services.
- 200.12 Pay for public defenders and investigative services.
- 200.13 Victims of crime case coordinator position established.

§ 220.00 COUNTY POSITIONS ADDED.

- 1) The following positions: Prosecuting Support Specialist, Victim Witness Coordinator, Victim Advocate and Data Entry Specialist, in the Faulkner County Prosecuting Attorney's Office are paid by grants and are not county employees, therefore, not eligible for retirement.
- 2) The above-mentioned employees will become county employees and the retirement match will be paid by monies, other than county general funds, through the Faulkner County Prosecuting Attorney's Office. The salaries will remain being paid through grant monies.
- 3) In the event that the grant monies are lost, the above-mentioned positions will be vacated immediately and cease to be county employees or county positions.
- 4) That Faulkner County Ordinance 2001-008 providing that grant funded personnel within the Office of the Prosecuting Attorney shall be deemed county employees for purposes of

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retirement, provided that said fringes shall be paid by the Prosecuting Attorney's Office and not involve funds originating with the County, should in fact have been retroactive with regard to:

- a. Prosecuting Support Specialist, effective October 1, 2000;
 - b. Victim Witness Coordinator, effective October 1, 2000;
 - c. Victim Advocate, effective October 1, 2000; and
 - d. Data Entry Specialist, effective October 1, 2000.
- 5) That to the above referenced list, the position of Forfeiture Coordinator Attorney should be added with the effective date being the date of this Ordinance and incorporating all other language contained within Faulkner County Ordinance 2001-008 absolving Faulkner County from any responsibility, past, present, or future, for originating funds to either pay salary or fringes on behalf of said position.
- 6) That Section 3 of Faulkner County Ordinance 2001-008 is hereby reiterated to wit: in the event that the grant monies are lost, the above-mentioned positions will be vacated immediately and cease to be county employees or county positions.
([Ord. 2001-008](#), passed 03-21-2001; Am. [Ord. 2001-012](#), passed 04-18-2001)

§ 220.01 COUNTY CIVIL ATTORNEY.

- 1) The office of the County Civil Attorney is hereby created pursuant to the authority granted by, and in accord with the provisions of A.C.A. § 16-21-114, which states:
 - a. A county civil attorney or county attorney may be selected pursuant to Ordinance of the quorum court for each county in the state.
 - b. The county attorney shall commence and prosecute or defend all civil actions in which his county is concerned.
 - c. The county attorney shall give his opinion, without fee or reward, to any township or county official on any question of civil law concerning the county which is pending before the official.
 - d. All civil duties provided by the laws of the State of Arkansas or the Ordinances of the several counties to be performed by the prosecuting attorney shall be performed by the county attorney in those counties which have established the office of civil attorney.
 - e. The office of county attorney shall be funded pursuant to Ordinance of the quorum court of the county.

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- f. i. In counties having a full-time office of county civil attorney or a contract county civil attorney, every municipality, school district, and other local taxing unit receiving as valorem or other tax funds collected by county collector shall reimburse the county for the taxing unit's pro rata share of the necessary legal costs incurred by the county in assessing property, collecting taxes, and receiving and disbursing revenues for the unit.
 - ii. Such legal costs shall include:
 - 1. Reasonable expenses incurred by a county civil attorney and his staff while providing tax- related legal services for the unit; and
 - 2. A percentage of the salaries and fringe benefits of a full-time county civil attorney and his staff based on the ratio between time spent on tax-related legal services for the taxing unit and time spent on all legal services; and
 - 3. Reasonable fee charged by a contract county civil attorney for services rendered regarding the assessment, collection, receipt, or disbursement of taxes.
 - iii. The amount to be reimbursed annually by each taxing unit, as its pro rata share of the county's necessary legal costs, shall be based on the proportion that the total of taxes collected for the benefit of each taxing unit bears to the total of taxes collected for the benefit of all taxing units.
- 2) To facilitate reimbursement, there is hereby created a County Attorney's Fund, which shall be administered in the same manner as the County Assessor's Fund established in § 14-15-204.
- 3) The County Civil Attorney shall attend the regular monthly Quorum Court meetings and all Special Quorum Court meetings and advise County Officials and represent the County in civil law matters.
- 4) The County Civil Attorney shall be compensated from the County General Fund.
- 5) The County Civil Attorney shall be authorized to associate co-counsel, as needed, provided that the County shall not be obligated for compensation beyond the amounts duly appropriated for the provision of County Civil Attorney services.
- 6) SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared or adjudged invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of

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this Ordinance and the remaining portions of the Ordinance shall be executed fully and faithfully.

- 7) EMERGENCY CLAUSE. An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of county operations and this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 2008-027](#), passed 11-18-2008)

§ 220.02 COUNTY JAIL DOCTOR.

- 1) POSITION. The official position of County Jail Doctor is hereby created for the purpose of providing the Sheriff access to a physician as a part of the Sheriff's duty to avoid deliberate indifference to the protection of needs of persons, including the necessary health care needs of jail detainees.
- 2) APPOINTED COUNTY OFFICIAL. Having created this position, the County Jail Doctor qualifies as an "appointed official" as that term is used in Section 4.1.2. of the AACRMF's General Liability Protection Agreement in order that the County Jail Doctor is eligible for AACRMF protection as a "Member." This necessarily includes the County Jail Doctor, individually and through his designated staff, including any nurses the County Jail Doctor asks to assist him and other health care personnel providing services at the jail, over the phone, at the doctor's office or at other locations to which jail detainees are provided health care services under the direction of the County Jail Doctor.
- 3) AACRMF PROTECTION. It is understood that the County Jail Doctor is not eligible for AACRMF protection for any alleged medical malpractice liability as a health care provider but that the County Jail Doctor and/or the County Jail Doctor's nursing staff acting for the County Jail Doctor, would be eligible—as an appointed county official—for AACRMF protection for alleged civil rights liability, for alleged tort liability and for AACRMF lawsuit defense services related thereto (including the assertion of any immunity as an appointed county official).
- 4) EMERGENCY CLAUSE. The adoption of this Ordinance is necessary for the proper and efficient administration of the Faulkner County Jail and for the preservation of the health, safety, and welfare of the residents of Faulkner County, Arkansas; therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage.
([Ord. 2009-011](#), passed 05-19-2009)

§ 220.03 COUNTY TREASURER; ADDITIONAL DUTIES.

- 1) In addition to all other duties presently required by law, the Faulkner County Treasurer, or his designated deputy, shall attend all regular meetings of the Faulkner County

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Quorum Court held on the third Tuesday of each month for the purpose of responding to any questions which may arise concerning the financial statement required by Section 20, Act 130 of 1975, Arkansas General Assembly, to be submitted monthly to the Quorum Court by the County Treasurer.

- 2) If deemed necessary by a majority of the members of the Faulkner County Quorum Court or by the Faulkner County Judge, the Faulkner County Treasurer shall attend, in person, any regular or special meeting of the Faulkner County Quorum Court. Unless under extreme and unusual circumstances, at least twenty-four (24) hours' notice of such need for attendance shall be furnished the Faulkner County Treasurer giving the purpose for which attendance is required.
- 3) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the public peace, safety, and welfare, shall be in full force and effect from and after its date of passage and approval.
([Ord. 1977-003](#), passed 01-03-1977)

§ 200.04 ELIGIBLE GRANT FUNDED EMPLOYEES IN PROSECUTING ATTORNEY'S OFFICE TO BE COUNTY EMPLOYEES.

- 1) The following positions, Prosecution Support Specialist, Victim Witness Coordinator, Victim Advocate and Data Entry Specialist, in the Faulkner County Prosecuting Attorney's Office are paid by grants and are not County employees, therefore, not eligible for retirement.
- 2) The above-mentioned employees will become county employees and the retirement match will be paid by monies, other than county general funds, through the Faulkner County Prosecuting Attorney's Office. The salaries will remain being paid through grant monies.
- 3) In the event that the grant monies are lost, the above-mentioned positions will be vacated immediately and cease to be County employees or County positions.
([Ord. 2001-008](#), passed 03-21-2001)

§ 220.05 COUNTY CLERK; ADDITIONAL DUTIES.

- 1) In addition to all other duties required by law, the Faulkner County Clerk shall be responsible for giving the public notification required by the Arkansas Freedom of Information Act (Act 93 of 1967, Arkansas General Assembly, as amended) of regular and special meetings of the Faulkner County Quorum Court and committees thereof.

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- 2) Chairmen of Faulkner County Quorum Court committees shall give the County Clerk notice of meetings of their respective committees in sufficient time for public notification of such meetings as required by the Freedom of Information Act.
- 3) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.
([Ord. 1977-004](#), passed 01-03-1977)

§ 220.06 SEPARATING THE OFFICE OF COLLECTOR AND SHERIFF AND TO PROVIDE FOR SELECTION OF THE COLLECTOR.

- 1) It is hereby ordained that the office of Faulkner County Tax Collector shall be separated from the office of Faulkner County Sheriff pursuant to Section 61 of Act 742 of 1977.
- 2) That this issue shall be placed on the next ballot to be voted upon by the people of Faulkner County on November 6, 1990, so as to provide for its adoption.
- 3) That this separation shall take effect subsequent to the election being had on this issue and shall take force and effect from January 1, 1991.
- 4) That the Collector shall be named and appointed by majority vote of the Faulkner County Quorum Court as constituted in November of 1990, which appointee shall serve a term of two (2) years, with his/her successor to be determined at the general election to be held every two (2) years, the first (1st) election for the office of Collector to be had in November 1992.
- 5) EMERGENCY CLAUSE. The effect of this Ordinance being immediately necessary, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.
([Ord. 1990-005](#), passed 03-13-1990)

§ 220.07 CREATING POSITION OF DEPUTY PROSECUTING/CIVIL ATTORNEY.

- 1) The Prosecuting Attorney for Faulkner County is hereby authorized to retain an additional Deputy Prosecuting/Civil Attorney to be employed for the purposes and compensated as set out herein.
- 2) That this Deputy Prosecuting/Civil Attorney shall operate out of the office of the Prosecuting Attorney and shall be retained for the purpose of pursuing the collection of monies due the County and State.

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- 3) That this Attorney shall be compensated from an additional line item added to the budget of Prosecuting Attorney.
- 4) That this Attorney shall be compensated at the rate of fifty dollars (\$50.00) per hour and that said compensation shall be paid after a bill with supporting documentation is submitted to the Quorum Court, approved by said Quorum Court, and the approved sums due appropriated to the specific line item referred to in Section 3 hereinabove; and further that no payment shall be made or disbursed to said attorney from any other account and unless there is a positive balance in the line item referred to hereinabove.
- 5) Provided further that in no event will the appropriations to the above referenced line item exceed the amounts collected through the efforts of said attorney.
([Ord. 1989-025](#), passed 09-13-1989)

§ 200.08 MAKING THE COUNTY SURVEYOR AN APPOINTIVE OFFICE.

- 1) Effective January 1, 1981, the Faulkner County Surveyor shall be appointed by the Faulkner County Judge and shall serve at the pleasure of the Faulkner County Judge.
- 2) No person shall serve as County Surveyor who shall not meet the qualifications for the office which are now or may be prescribed by statute of the General Assembly and/or Ordinance of the Quorum Court.
- 3) The County Surveyor shall have such duties and authorities as are now or may be prescribed by statute of the General Assembly and/or Ordinance of the Quorum Court. Additional duties may also be assigned by the County Judge. The County Surveyor shall be responsible to the County Judge for the satisfactory performance of these duties and authorities.
- 4) The Faulkner County Quorum Court is hereby authorized to enter into an interlocal agreement with one or more counties to provide for the multi-county consolidation of the non-elective county office of County Surveyor. If such an interlocal agreement is made, the person performing the duties of the County Surveyor need not be a resident of Faulkner County.
- 5) This Ordinance shall be referred to the electors of Faulkner County at the general election to be held November 7, 1978, and Sections 1 through 4 shall take effect only if approved by a majority of the voters voting on the Ordinance. The Faulkner County Election Commission and the Faulkner County Clerk are hereby ordered to comply with the statutes concerning the placing of referred Ordinances on the ballot and the publication of such Ordinances.

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- 6) SEVERABILITY CLAUSE AND REPEALER. All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of section which are not deemed to be unlawful or unconstitutional. all ordinances and parts of Ordinances in conflict herewith are hereby repealed.

- 7) EMERGENCY CLAUSE. Since it is the purpose of the Faulkner County Quorum Court to refer this Ordinance to the electorate at the general election to be held on November 7, 1978, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1978-025](#), passed 09-05-1978)

§ 220.09 MAKING THE COUNTY CORONER AN APPOINTIVE OFFICE.

- 1) Effective January 1, 1981, the Faulkner County Coroner shall be appointed by the Faulkner County Judge, with the consent of the majority of the members of the Faulkner County Quorum Court, for the term of two (2) years. The Coroner shall be appointed by the County Judge and approved by the Quorum Court which shall have been elected at the last general election. The Coroner shall continue in office after the expiration of his/her official term until his/her successor is elected and qualified.

- 2) No person shall serve as Coroner who shall not meet the qualifications for the office which are now or may be prescribed by the statute of the General Assembly and/or Ordinance of the Quorum Court.

- 3) The Coroner shall have such duties and authorities as are now or may be prescribed by statute of the General Assembly and/or Ordinance of the Quorum Court.

- 4) The Coroner shall be removed or suspended from office only in the manner which is or may be prescribed by statute of the General Assembly for County Officers.

- 5) Vacancies in the office of Coroner shall be filled for the remainder of the term in the same manner by which the office is to be filled. Persons appointed to the office of Coroner shall be eligible for re-appointment.

- 6) The Faulkner County Quorum Court is hereby authorized to enter into an interlocal agreement with one (1) or more counties to provide for the multi-county consolidation of the non-elective county office of Coroner. If such an interlocal agreement is made, the person performing the duties of Coroner need not be a resident of Faulkner County.

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- 7) This Ordinance shall be referred to the electors of Faulkner County at the general election to be held on November 7, 1978, and Sections 1 through 6 shall take effect only if approved by a majority of the voters voting on the Ordinance. The Faulkner County Election Commission and the Faulkner County Clerk are hereby ordered to comply with the statutes concerning the placing of referred Ordinances on the ballot and the publication of such Ordinances.

- 8) SEVERABILITY CLAUSE AND REPEALER. All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of section which are not deemed to be unlawful or unconstitutional. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

- 9) EMERGENCY CLAUSE. Since it is the purpose of the Faulkner County Quorum Court to refer this Ordinance to the electorate at the general election to be held on November 7, 1978, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1978-026](#), passed 09-05-1978)

§ 220.10 ELECTION COORDINATOR POSITION ESTABLISHED.

- 1) DEFINITIONS.
 - a. *Election official or election officer:* means a person who is a member of the County Board of Election Commissioners, a person who performs election coordinator duties, or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff, or a deputy county clerk or a person assigned by a county clerk to conduct early voting.

 - b. *Logic and accuracy testing:* means to cause all election media for the electronic vote tabulating devices and marking devices used for voting to be properly programmed and tested before delivery to the election precinct.

 - c. *Political party:* means a group of voters that at the last preceding general election polled for its candidate for Governor in the state or nominees for presidential electors at least three percent (3%) of the entire vote cast for the office.

 - d. *Poll worker:* means an election judge, election sheriff, or election clerk.

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- e. *Polling site*: means a location selected by the County Board of Election Commissioners where votes are cast.
- f. *Precinct*: means the geographical boundary lines dividing a county, municipality, township, or school district for voting purposes.
- g. *Sample ballot*: means a ballot for distribution to the public or the press marked with the work “SAMPLE” so as to prevent the production of counterfeit ballots.
- h. *Voting machine*: means either
 - i. A direct recording electronic voting machine that:
 - 1. Records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter;
 - 2. Processes that data by means of a computer program;
 - 3. Records voting data and ballot images in internal and external member components; and
 - 4. Produces a tabulation of the voting data stored in a removable memory component and on a printed copy; or
 - ii. An electronic device for marking a paper ballot to be electronically scanned.
- i. *Voting system*: means the total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used for the following:
 - i. To define ballots;
 - ii. To cast and count votes;
 - iii. To report or display election results; and
 - iv. To maintain and produce any audit trail information.

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2) DUTIES OF THE FAULKNER COUNTY ELECTION COORDINATOR.

- a. The County Election Coordinator shall coordinate and assist the CBEC and county clerk in fulfilling their constitutional and statutory responsibilities in the preparation for and administration of Faulkner County elections.
- b. The election coordinator shall perform all duties assigned by the County Judge. The County Judge may delegate the supervision of the election coordinator by a court order.
- c. Provide the CBEC and the county clerk with reports as required by law.
- d. Apply rules, procedures, and systems according to applicable laws to guide election personnel in the administration of county elections.
- e. Ensures security and maintenance of a large number of voting machines along with their personalized electronic ballots and keeps records of the allocation of the machines and accessories to each precinct.
- f. Responsible for the design and preparation of customized materials required for elections including ballot design, sample ballots, proofing, and production, including identification of ballot jurisdictions and specifications.
- g. Responsible for directing and verifying accurate coding of elections in the computerized voting system that produces a memory pack containing all election data to assure accurate ballot tabulation for each polling location.
- h. Directs logic and accuracy testing of the personalized electronic ballots for candidates, media, and general public five (5) days before each election.
- i. Selects and analyzes suitable polling sites ensuring location, parking, and facility comply federal, state, and local requirements.
- j. Coordinates and conducts public hearing on updating districts and precincts and prepares the legal descriptions and maps required for county elections.
- k. Serves as the liaison with candidates, campaign personnel, media, and the general public concerning procedures, policies, and complaints.
- l. Develops a schedule of events for each election and ensures deadlines are met.

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- m. Applies recruitment and training procedures for election officials; conducts training sessions and produces training manuals for election officials.
 - n. Maintains record keeping methods and procedures for all election records and poll worker information.
 - o. Interacts with various county officials, the State Board of Election Commissioners, the Secretary of State, officials of municipalities within the county, and school district officials regarding election rules and procedures.
 - p. Coordinates with the county clerk and the CBEC in locating early voting satellite locations within the county, provides training for the early voting officials, and supervises the early voting process, insuring the security of all election materials and accuracy in voter registration records for the early voters.
 - q. Informs the CBEC and the county clerk on election preparation including ballot positioning for candidates, poll worker appointments, polling location changes, and voter problems including public forums on polling location problems; during post-election, coordinates meetings for certification of election contests, including recount if ordered.
 - r. Meets with the CBEC and the County Clerk to keep them apprised of new election laws, how to implement new laws, procedures, planning election activities, and reviewing new equipment options.
 - s. Perform other duties as assigned by the County Judge, County Clerk or as required by law.
- 3) **COMPENSATION FOR THE FAULKNER COUNTY ELECTION COORDINATOR.** The county election coordinator shall be compensated in an amount to be determined by the Faulkner County Quorum Court.
- 4) **HIRING OF THE FAULKNER COUNTY ELECTION COORDINATOR.** The County Judge shall have the ability to hire and/or fire the election coordinator.
- 5) **EMERGENCY CLAUSE.** An emergency is hereby declared pursuant to A.C.A. § 14-14-908, in that an election is drawing near and the Coordinator is needed to prepare for it adequately.
([Ord. 2015-018](#), passed 06-15-2015; Am. [Ord. 2020-015](#), passed 06-16-2020)

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§ 220.11 PUBLIC DEFENDER LEGAL SERVICES.

- 1) It is the policy of Faulkner County that we shall negotiate contracts for legal services on the basis of demonstrated competence and qualifications at a fair and reasonable price and to prohibit the use of competitive bidding for the procurement of professional services. This policy is consistent with A.C.A. § 19-11-801.

- 2) Any and all firms or individuals which wish to be considered for contracting with the Faulkner County Public Defender System are encouraged to submit a statement of qualifications and performance data to the Faulkner County Judge. The statement and data should be submitted annually from this time forward in accordance with A.C.A. § 19-11-802. The County Judge shall evaluate statements and data for the purpose of contracting with a sufficient number of attorneys to provide for the needs of the Faulkner County Public Defender System, subject to budgetary constraints.

- 3) The County Judge shall evaluate the qualifications in accordance with A.C.A. § 19-11-803 and shall select the number of attorneys required, subject to budgetary constraints. The attorneys selected shall be considered to be the best qualified and capable of performing the desired work.

- 4) The County Judge and the selected attorneys shall jointly prepare a detailed, written description of the scope of the proposed services. If the County Judge is unable to negotiate a contract with the selected attorneys, he/she shall reevaluate the necessary legal services, including the scope and reasonable fee requirements and again compile a list of qualified attorneys and proceed in accordance with A.C.A. § 19-11-805.

- 5) EMERGENCY CLAUSE. This Ordinance being necessary for the protection and preservation of the public health and safety, an emergency is hereby declared to exist, and this Ordinance shall be in force and shall take effect upon passage and publication.
([Ord. 1991-049](#), passed 12-18-1991)

§ 220.12 PAY FOR PUBLIC DEFENDERS AND INVESTIGATIVE SERVICES.

- 1) a. In Compliance with the requirements of Act 992 of the 1991 legislative session, which is amendatory to A.C.A. § 16-87-111, the rate of pay for investigators required by the Public Defenders shall not exceed twenty-five (\$25.00) dollars per hour.
 - b. The specific rate of pay for any requirement for investigative services shall be determined by the Public Defenders and will not exceed the rate above.

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- c. Scope and time limits of investigative services are to be clearly specified by the Public Defender at the time he/she engages the investigator, with the approval of the presiding Judge by court order entered prior to the rendering of the services.
 - d. Payment for services will be made upon the submission of an itemized schedule from the investigator showing dates and hours involved in the investigation with the request for payment bearing the written approval of the public defender.
- 2) Provisions of this Ordinance are retroactive to January 1, 1993.
- 3) EMERGENCY CLAUSE. This Ordinance being necessary for proper functioning of the Faulkner County Public Defenders System, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect upon passage and approval.
([Ord. 1993-005](#), passed 02-17-1993)

§ 220.13 VICTIMS OF CRIME CASE COORDINATOR POSITION ESTABLISHED.

See § 340.07

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Article III. COUNTY ORGANIZATIONS

A.C.A. § 14-14-704. Establishment of county departments.

(a) The county quorum court of each county, by Ordinance, may establish any number of departments for the conduct of county affairs and may prescribe the functions and duties of each department. This authority of a quorum court to establish county departments shall be conclusive and shall supersede any department organizations established by any elected county officer:

(b)

- (1) **DIRECTION OF DEPARTMENTS.** All departments established by Ordinance of the quorum court shall be under the direction and supervision of the county judge except departments assigned to other elected officers of the county. Departments established and assigned to an elected officer other than the county judge shall be under the direction and supervision of the respective county officer.
- (2) **JOINT DEPARTMENTS.** Two (2) or more county governments may provide for the establishment of joint departments for the conduct of county affairs. Joint departments so created shall be established by interlocal agreements. The direction and supervision of joint departments shall be under the combined authorities of the county judge of each respective county in a manner to be prescribed by Ordinance.
- (3) **EMPLOYMENT OF DEPARTMENT ADMINISTRATOR.** An Ordinance establishing a department of county government may provide for the employment of a department administrator. The Ordinance may prescribe minimum qualifications for the person so employed as administrator. However, the county judge alone shall employ all county personnel, except employees of other elected county officers. Where a department is established by the quorum court and the responsibility for direction and supervision of the department is assigned to an elected county officer other than the county judge, the elected county officer so designated shall employ all personnel authorized to be employed by the Ordinance.
- (4) **MANAGEMENT REPORTS.** A quorum court may require, by Ordinance, reports for any purpose from any elective county office, department, board, or subordinate service district, or any administrator or employee of them.

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A.C.A. § 14-14-705 County advisory or administrative boards.

(a) A county quorum court, by Ordinance, may establish county advisory or administrative boards for the conduct of county affairs.

(b)

(1) **ADVISORY BOARDS.**

(A) An advisory board may be established to assist a county office, department, or subordinate service district. The advisory board may furnish advice, gather information, make recommendations, and perform other activities as may be prescribed by Ordinance. A county advisory board shall not have the power to administer programs or set policy.

(B) All advisory board members shall be appointed by the county judge. Confirmation of advisory board members by a quorum court shall not be required.

(C) An advisory board may contain any number of members as may be provided by the Ordinance creating the advisory board.

(D) The term of all advisory board members shall not exceed three (3) years.

(2) **ADMINISTRATIVE BOARDS.**

(A) Administrative boards may be established to exercise administrative powers granted by county Ordinance, except that the board may not be authorized to pledge the credit of the county. The administrative board shall be a body politic and corporate, with power to contract and be contracted with and sue and be sued. As to actions of tort, the board shall be considered as an agency of the county government and occupy the same status as a county. No board member shall be liable in a court individually for an act performed by him as a board member unless the damages caused thereby were the results of the board member's malicious acts.

(B) No member of any administrative board shall be interested, either directly or indirectly, in any contract made with the administrative board. A violation of subsection (2)(B) of this section shall be deemed a felony.

(C) An administrative board may be assigned responsibility for a county department of a subordinate service district.

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(D) All administrative board members shall be appointed by the county judge. These appointments shall require confirmation by a quorum court.

(E) An administrative board shall contain five (5) members. Provided, a county library board created after August 1, 1997, shall consist of not less than five (5) members nor more than seven (7) members and shall serve until their successors are appointed and qualified.

(F) The term of any administrative board member shall be for a period of five (5) years. However, the initial appointment of any administrative board shall provide for the appointment of one (1) member for a one-year term, one (1) member for a two-year term, one (1) member for a three-year term, one (1) member for a four-year term, and the remaining member or members for a five-year term, thereby providing, except for county library boards with more than five (5) members, for the appointment of one (1) member annually thereafter.

(3) **BOARDS GENERALLY.**

(A) No board member, either advisory or administrative, shall be appointed for more than two (2) consecutive terms.

(B) All persons appointed to an advisory or administrative board shall be qualified electors of the county. A quorum court may prescribe by Ordinance additional qualifications for appointment to a county administrative board.

(C) All board members appointed to either an advisory or administrative board shall subscribe to the oath of office within ten (ten) days from the date of appointment. Evidence of oath of office shall be filed with the county clerk. Failure to do so shall be deemed to constitute rejection of the office, and the county judge shall appoint a board member to fill the vacancy.

(D) No member of a quorum court shall serve as a member of a county advisory or administrative board.

(E) A person may be removed from a county board for cause by the county judge with confirmation by resolution of the quorum court. Written notification stating the causes for removal shall be provided to the board member prior to the date established for quorum court consideration of removal, and the board member shall be afforded the opportunity to meet with the quorum court in their deliberation of removal.

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(F) Appeals from removal of a county board member shall be directed to the circuit court of the respective county within thirty (30) days after the removal is confirmed by the quorum court.

A.C.A. §§ 14-169-201-240. Housing Authorities Act.

A.C.A. §§ 14-169-301-319. Regional Housing Authorities.

A.C.A. §§ 14-137-101-123. Public Facilities Boards Act.

Section

- 230.00 Museum Commission.
- 230.01 Museum Commission; clarifying number of members.
- 230.02 Waterworks and Sewers Public Facilities Board established.
- 230.03 9-1-1 Advisory Board.
- 230.04 Terminating the existing Law Library Board and organizing the Library Administrative Board.
- 230.05 Lake Conway Community Wastewater Utility Board established.
- 230.06 Criminal Justice Coordinating Committee established.
- 230.07 Jail Board established and additional ten-dollar (\$10.00) court cost created.
- 230.08 Recreation Board established.
- 230.09 Equalization Board established and compensation set.
- 230.10 County Depository Board established.
- 230.11 Board of Election Commissioners established.
- 230.12 Reorganizing the Library Board.
- 230.13 Roads Administrative Board; created.

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§ 230.00 MUSEUM COMMISSION.

- 1) The Faulkner County Quorum Court, under the authority of Act 241, of 1977, has, pursuant to ordinance 92-16, established the Faulkner County Museum Commission, which established the Faulkner County Museum. The museum shall be under the direct management and control of the Faulkner County Museum Commission, which shall consist of three (3), six (6), or nine (9) members to be appointed by the County Judge, subject to confirmation and approval of the Quorum Court. The size of the Commission shall be determined by the Quorum Court in collaboration with the Museum Director and Chair of the Commission and shall be made considering the size of the museum and the population of the County. Members previously appointed under prior law shall serve the remainder of their term. Successor members shall be appointed for three-year staggered terms and shall serve until their successors are appointed and qualified. If any vacancy shall occur on the Commission, the vacancy shall be filled by appointment for the unexpired portion of the term, in the same manner as provided for the initial appointment, as set out in Ark. Code Ann. § 13-5-501(b)(1). Members of the Commission shall serve without pay. The Commission shall elect one of its members as chair and shall also elect such officers as the Commission may deem necessary.

- 2) The Faulkner County Museum Commission shall have the following powers and duties:
 - a. To buy, lease, lend, acquire, and own real property required in the housing and operation of the County Museum.
 - b. To accept gifts, grants, or donations of real and personal property from the federal government, the State of Arkansas, and from other public or private groups or individuals, to be used for the purposes of this Ordinance.
 - c. To receive and expend funds appropriated by the Quorum Court for County Museum purposes.
 - d. To acquire, preserve, and display items of historic or archaeological interest.
 - e. To enter into agreements with other counties, municipalities, the state or federal government, or any agency thereof, or with any private museum or groups or persons to exchange or loan items of historical or archeological interest.
 - f. To enter into agreements with the Arkansas History Commission, the Department of Cultural and National Heritage and the public and private agencies or persons, for the purpose of sharing services and facilities.
 - g. To enter into cooperative agreements under the Interlocal Cooperation Act with one or more adjoining counties to form a joint or regional museum, and in such agreements shall establish the governing organization and procedures for the

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operation of the joint or regional museum, including costs, financial agreements, and contributions for the operation of and sharing in the cost of the operation of such joint or regional museum.

- h. To promulgate reasonable rules and regulations for operation of the museum, including the establishment of reasonable admission charges to assist in defraying the cost of operating the museum.
 - i. To employ the necessary personnel required in the maintenance and operation of the museum.
 - j. To do all other things necessary to accomplish the purposes of this Ordinance.
- 3) The Faulkner County Quorum Court may appropriate county funds to defray, in whole or in part, the construction, maintenance, and operation of the Faulkner County Museum. ([Ord. 1992-016](#), passed 08-19-1992; Am. [Ord. 2004-022](#), passed 11-16-2004)

§ 230.01 MUSEUM COMMISSION; CLARIFYING NUMBER OF MEMBERS.

- 1) That, pursuant to A.C.A. § 13-5-502 (a), the Faulkner County Museum Commission, shall consist of nine (9) members to be appointed by the County Judge, subject to confirmation and approval of the Quorum Court. The size of the Commission is established following collaboration with the Museum Director and Chair of the Commission, and specifically considered the size of the museum and the population of the County.
([Ord. 2004-023](#), passed 11-16-2004)

§ 230.02 WATERWORKS AND SEWERS PUBLIC FACILITIES BOARD ESTABLISHED.

- 1) In accordance with and pursuant to the authority conferred by the provisions of the Act, there is hereby created and established a public facilities board (the “Board”) with the authority as hereinafter provided to accomplish, finance, and contract concerning, and otherwise dispose of and deal with waterworks and/or sewer facilities. The term “waterworks facilities” and “sewer facilities” as used in this Ordinance shall have the meaning set forth in the Act.
- 2) The name of the Board shall be, “Faulkner County Waterworks and Sewers Public Facilities Board” (the Board).
- 3) The initial members of the Board shall consist of five (5) persons, each of whom shall be residents and qualified electors of Faulkner County residing in the county and shall be appointed by the County Judge, after confirmation by the Quorum Court, by order of the County Court for terms of one, two, three, four, five years, respectively. Each member so

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appointed by the County Court, shall take and file with the County Clerk the appropriate oath of office prescribed by the Act.

- 4) The Board is authorized, from time to time, to own, acquire, construct, reconstruct, extend, equip, improve, sell, operate, maintain, lease, and contract concerning, or otherwise dispose of waterworks and/or sewer works facilities only.
- 5) The Board is authorized to issue revenue bonds from time to time and use the proceeds therefrom as require to provide waterworks and sewer facilities including the creation of any desired reserve funds by paying the costs of the issuance of such bonds. Any such revenue bonds shall be obligations only of the Board and shall not constitute any indebtedness for which the faith and credit of the County or any of its revenues are pledged, and the principal of and interest on the Bonds shall be payable from and secured by a pledge of revenues derived from waterworks and/or sewer works facilities financed, in whole or in part, from the bond proceeds and any other sources as authorized by, and in accordance with, provisions of the Act.
- 6) The Board shall have all the powers provided for in the Act, subject to the limitations of this Ordinance, and shall carry out its duties in accordance with the Act, including the filing of the annual report required by Section 18 of the Act. The Board shall take all appropriate action necessary to comply with the Constitution and laws of the United States of America and the State of Arkansas, including matters related to open and public meetings as provided by Act 93 of 1967, as amended.
- 7) SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared or adjudged invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance and the remaining portions of the Ordinance shall be executed fully and faithfully.
- 8) REPEALER. All ordinances in conflict herewith are repealed to the extent of the conflict.
- 9) EMERGENCY CLAUSE. An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of county operations and this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 1990-014](#), passed 06-19-1990; Am. [Ord. 2010-020](#), passed 08-17-2010)

§ 230.03 9-1-1 ADVISORY BOARD.

- 1) Under the authority given to the Faulkner County Quorum Court by Act 742 of 1977, as amended, Arkansas General Assembly, Sections 100 and 103, there is hereby created the

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Faulkner County 9-1-1 Advisory Board, an advisory board as defined by Section 103 (2) of said Act.

- 2) a. The Faulkner County 9-1-1 Advisory Board shall consist of five (5) members each of whom shall be appointed by the County Judge with the Faulkner County Quorum Court not being required and for a term of three (3) years with no board member being appointed for more than two (2) consecutive terms.
 - b. All subsequent appointments to the Faulkner County 9-1-1 Advisory Board shall be made in the month wherein the terms of the current members expire with these appointments being effective on the first day of the following month.
- 3) A member of the Faulkner County 9-1-1 Advisory Board shall be removed only for cause by the county judge with confirmation by resolution of the Quorum Court; provided, however, that written notification stating the causes for removal shall be provided to such board member prior to the meeting at which the Quorum Court shall consider such removal, and such board member shall be afforded the opportunity to meet with the Quorum Court in their deliberation of removal. Judicial appeal for removal shall be as provided by law.
- 4) The initial meeting of the Faulkner County 9-1-1 Advisory Board, its regular and special meetings, the quorum necessary to transact business, its organization, and other matters shall be as required by Section 105 of Act 742.
- 5) The authorities and responsibilities of the Faulkner County 9-1-1 Advisory Board shall be as are now or may be established by statute of the General Assembly and/or ordinance of the Quorum Court. It is anticipated that the Board, when constituted, shall recommend to the Quorum Court various measures concerning the Board's authorities and responsibilities.
- 6) The first Board will have five (5) members with three (3) members to serve staggered terms, to be decided by lots, of either one, two, or three years and two (2) members serving terms of one or two years.
- 7) EMERGENCY CLAUSE. An emergency is hereby considered to exist since the passage of the 9-1-1 service charge by a majority of Faulkner County voters in the November 4th General election and upon passage shall be in full force.
([Ord. 1986-017](#), passed 11-24-1986; Am. [Ord. 1990-007](#), passed 03-13-1990; Am. [Ord. 1990-011](#), passed 04-17-1990)

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§ 230.04 TERMINATING THE EXISTING LAW LIBRARY BOARD AND ORGANIZING THE LIBRARY ADMINISTRATIVE BOARD.

- 1) The Faulkner County Law Library Board is hereby declared to be terminated and dissolved, effective on the effective date of this Ordinance, except that such Board shall be deemed to have the power to conduct any and all business necessary to effect an orderly transfer of authority to the new Board created by this Ordinance, provided that such transfer shall be completed prior to June 1, 1991.
- 2) The functions, duties and jurisdiction formerly vested in the Faulkner County Law Library Board shall henceforth be vested in the Faulkner County Law Library Department and its Administrative Board, both of which are hereby created by this Ordinance, in accordance with Section 107 of Act 742 of 1977, Acts of Arkansas.
- 3) The Administrative Board of the Faulkner County Law Library Department shall be empowered with all powers enumerated in Section 103 of Act 742 of 1977, as amended, as well as with all powers normally incidental to the administration of a Law Library Department, and the Administrative Board is hereby assigned responsibility for the operation of the Law Library Department. The Administrative Board of the Law Library Department shall number five (5) and each of those five (5) shall be appointed by the County Judge of Faulkner County with each appointment requiring confirmation by the Faulkner County Quorum Court. The term of any Administrative Board member so appointed shall be for a term of five (5) years; provided, however, that the initial appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term; thereby providing for the appointment of one (1) member of the Administrative Board each year after the initial appointment. No Administrative Board member shall be appointed for more than two (2) consecutive terms. Each person appointed to the Administrative Board shall be a practicing attorney of Faulkner County and a qualified elector and each person so appointed shall within ten (10) days from the date of appointment subscribe to the oath of office and shall file evidence with the Faulkner County Clerk.
- 4) The Administrative Board of the Faulkner County Law Library Department shall be empowered to contract as is allowed by law, but under the terms of A.C.A. § 16-23-104, *et. seq.*
- 5) The County Clerk of Faulkner County shall maintain a register of County Administrative Board appointments and shall include therein all appointments to the Administrative Board created by this Ordinance, as well as all pertinent information incidental to such appointments, as specified by Section 104 of Act 742 of 1977.

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- 6) SEVERABILITY CLAUSE AND REPEALER. All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of sections which are not deemed to be lawful or unconstitutional. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

- 7) EMERGENCY CLAUSE. The continued operation of the Faulkner County Law Library is deemed essential to the citizens of Faulkner County and to the peace, health, welfare and safety of Faulkner County citizens and therefore an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1991-014](#), passed 05-13-1991)

§ 230.05 LAKE CONWAY COMMUNITY WASTEWATER UTILITY BOARD ESTABLISHED.

- 1) In accordance with and pursuant to the authority conferred by the provisions of the Act, there is hereby created and established a public facilities board, the Lake Conway Community Wastewater Utility Board, with the authority as hereinafter provided to accomplish, finance, contract concerning, and otherwise dispose of and deal with waterworks and/or sewer facilities. The term “Waterworks Facilities” and “Sewer Facilities” as used in this Ordinance shall have the meaning set forth in the Act.

- 2) The name of the Board shall be “Lake Conway Community Wastewater Utility”.

- 3) The initial members of the Board shall consist of five (5) persons, each of whom shall be residents and qualified electors of Faulkner County residing in the County and shall be appointed by the County Judge, after confirmation by the Quorum Court, by order of the County Court for terms of one (1), two (2), three (3), four (4) and five (5) years, respectively. Each member, so appointed by the County Court, shall take and file with the County Clerk the appropriate oath of office prescribed by the Act. The appointees duly appointed and confirmed by this document are as follows: Herman Moix (2), Juanita Brannon (3), Carroll Duvall (4), Jaysson Funkhouser (1), and Oscar Gomez (5).

- 4) The Board is authorized, from time to time, to own, acquire, construct, reconstruct, extend, equip, improve, sell, operate, maintain, lease, and contract concerning, or otherwise dispose of waterworks and/or sewer works facilities only.

- 5) The Board is authorized to issue revenue bonds from time to time and use the proceeds therefrom as required to provide waterworks and sewer works facilities including the creation of any desired reserve funds for paying the costs of the issuance of such bonds. Any such revenue bonds shall be obligations only of the Board and shall not constitute

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any indebtedness for which the faith and credit of the County or any of its revenues are pledged, and the principal of and interest on the bonds shall be payable from and secured by a pledge of revenues derived from waterworks and/or sewer facilities financed, in whole or in part, from the bond proceeds and any other sources as authorized by, and in accordance with, provisions of the Act.

- 6) The Board shall have all the powers provided for in the Act, subject to the limitations of this Ordinance, and shall carry out its duties in accordance with the Act, including the filing of the annual report required by section 18 of the Act. The Board shall take all appropriate action necessary to comply with the Constitution and Laws of the United States of America and the State of Arkansas, including matters related to open and public meetings as provided by Act 93 of 1967, as amended.
- 7) In the event any portion of this Ordinance is declared or adjudged invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance and the remaining portions of the Ordinance shall be executed fully and faithfully.
- 8) REPEALER. All ordinances of the County or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- 9) EMERGENCY CLAUSE. It is found and hereby determined that there is an immediate need for providing waterworks and/or sewer works within the Preston Community of Faulkner County, Arkansas as authorized to be provided under the Act, and the providing of financial assistance to encourage the development of such waterworks and/or sewer works facilities, and that the creation of the Board and the exercise of the duties and powers provided in this Ordinance are necessary for the preservation of the public peace, health, and safety. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.
([Ord. 2016-037](#), passed 10-19-2016)

§ 230.06 CRIMINAL JUSTICE COORDINATING COMMITTEE ESTABLISHED.

- 1) MEMBERS. The Faulkner County Criminal Justice Coordinating Committee shall consist of one (1) District Court Judge, one (1) Circuit Court Judge, one (1) local corrections official, the Prosecuting Attorney, the Sheriff, the City of Conway Chief of Police, the Chief of Police from a smaller precinct in the County, one (1) Justice of the Peace, one (1) medical professional, one (1) mental health professional, and one (1) officer with the Department of Community Corrections. In the event that any of these members cannot be present, a designee may be substituted.

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- 2) DUTIES. The Faulkner County Criminal Justice Coordinating Committee shall periodically review data and records of local and regional detention facilities collected under A.C.A. § 12-12-219 and assist in the access and transfer of this data. The Committee shall recommend protocols for the efficient and effective use of local criminal justice resources.

- 3) EMERGENCY CLAUSE. Therefore, an emergency is declared to exist, and this Ordinance being necessary for preservation and protection of the public health, safety, and welfare of Faulkner County, this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 2019-005](#), passed 02-25-2019)

§ 230.07 JAIL BOARD ESTABLISHED AND ADDITIONAL TEN DOLLARS (\$10.00) COURT COST CREATED.

- 1) There is hereby created the Faulkner County Jail Board which shall consist of the Faulkner County Judge, who shall serve as chairman of said Board; Sheriff of Faulkner County; and the County Clerk of Faulkner County.

- 2) The Faulkner County Jail Board is authorized and empowered to:
 - a. Construct a county jail and jail facilities or provide for the expansion of the existing county jail or jail facilities, on a site selected by the Board.

 - b. Arrange for housing of prisoners during the period in which any of the facilities are undergoing construction or expansion.

 - c. Construct or cause to be constructed parking facilities to serve the county jail and jail facilities and the public having business therein.

 - d. Obtain necessary funds for accomplishing its powers, purposes and authorities.

 - e. Purchase, lease or rent, and receive bequests or donations, and otherwise acquire, sell, trade or barter any property (real, personal or mixed) and convert into money and/or property any property not needed or which cannot be used in its current form.

 - f. Contract and be contracted with, apply for services, accept and use any property from the United States of America, any state agency, state or governmental body or political subdivisions, and any public or private corporation or organization of any nature, or any individual.

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- g. Invest and re-invest any of its monies and securities as authorized by law.
 - h. Take such other action, not inconsistent with law, as may be necessary and desirable to carry out the power, purposes and authority set forth in this Ordinance and as set forth in the County Jail Revenue Bond Act of 1981 and to carry out the intent of this Ordinance and of said act.
- 3) a. There is hereby levied a fee of ten dollars (\$10.00) per conviction as part of the cost to be paid by all persons convicted of a felony or misdemeanor or any persons committed to the county jail in the Circuit, Chancery, Probate, Municipal, City Courts, Police Courts, and Mayor's Courts in Faulkner County.
- b. Any person charged with a felony or misdemeanor who shall post bond and forfeit the same upon failure to appear on the date set for trial shall equally be charged with a fee imposed by this Ordinance.
 - c. Except as provided in subsection (d) of this Section, all fees so collected shall be remitted to and deposited by the County Treasurer in one or more banks doing business in the County, to the credit of a county jail Revenue Bond Fund to be used solely for the purposes as provided in this Ordinance. Except as provided in subsection d) of this Section, all fee revenues collected under the provisions of this Ordinance are hereby declared to be cash funds, and shall not be deposited into the County Treasury, but shall be deposited into a bank selected by the Board. The fee revenue shall be collected and applied as in this Ordinance provided until the principal or premiums, if any, and interest on all bonds issued under this Ordinance, with trustees and paying agent's fees shall be paid or adequate provisions made for their payments; provided, however, particular fees may be varied as to amount or new fees substituted or added so long as there is no reduction in the gross fee revenues that would have been collected had there been no such charge, substitution or addition, and the term fee charge, substitution or addition, and the term fee revenues includes revenues derived from all such fees.
 - d. Until such times as bonds are issued under this Ordinance, the revenues derived from the additional court costs authorized by this Ordinance shall be deposited into the County General Fund, to be used exclusively for the furnishing, repair, maintenance, and operation of the county jail.
- 4) EMERGENCY CLAUSE. It is hereby found and determined by the Faulkner County Quorum Court that the Faulkner County Jail is inadequate and in some instances may not meet the standards for public jails, and that there is immediate need for Faulkner County Jail

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Board to establish bonds to secure funds for construction, improvement, expansion, repair and equipping the Faulkner County Jail and jail facilities. Therefore, an emergency is hereby declared to exist, and this Ordinance being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

([Ord. 1987-009](#), passed 05-20-1987)

§ 230.08 RECREATION BOARD ESTABLISHED.

- 1) Under the authority given to the Faulkner County Quorum Court by Act 742 of 1977, Arkansas General Assembly, Sections 100 and 103, there is hereby created the Faulkner County Recreation Board, and Administrative Board as defined by Section 103 (2) of said Act.
- 2) The Faulkner County Recreation Board shall consist of five (5) members each of whom shall be appointed by the Faulkner County Judge subject to the confirmation of the Faulkner County Quorum Court. All members of the Board shall be qualified electors of Faulkner County. With the exception of the first Board members appointed under this Ordinance, all Board members shall be appointed for five (5) year terms and shall be eligible for re-appointment; provided that no member shall be appointed for more than two (2) consecutive terms.
- 3) The initial Faulkner County Recreation Board shall be appointed during the month of January 1979, and the term of office shall begin on February 1st. One (1) member shall be appointed for a one (1) year term, one (1) member for a two (2) year term, one (1) member for a three (3) year term, one (1) member for a four (4) year term and one (1) member for a five (5) year term. Appointments for succeeding terms shall be made after January 1st of each year.
- 4) A member of the Faulkner County Recreation Board shall be removed only for cause by the County Judge with confirmation by resolution of the Quorum Court; provided, however, that written notification stating the causes for removal shall be provided to such Board member prior to the meeting at the which the Quorum Court shall consider such removal, and such Board member shall be afforded the opportunity to meet with the Quorum Court in their deliberation of removal. Judicial appeal from removal shall be as provided by law.
- 5) The initial meeting of the Faulkner County Recreation Board, its regular and special meetings, the quorum necessary to transact business, its organization, and other matters shall be required by Section 105 of Act 742.

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- 6) The authorities and responsibilities of the Faulkner County Recreation Board shall be as are now or may be established by statute of the General Assembly and/or ordinance of the Quorum Court. It is anticipated that the Board, when constituted, shall recommend to the Quorum Court various measures concerning the Board's authorities and responsibilities.

[Ord. 1979-001](#), passed 01-02-1979)

§ 230.09 EQUALIZATION BOARD ESTABLISHED AND COMPENSATION SET.

- 1) Pursuant to the authority given to the Faulkner County Quorum Court by Act 481 of 1977, Arkansas General Assembly, each member of the Faulkner County Equalization Board is to be paid \$1,500.00 for the month of August.
- 2) The Equalization Board is to meet as often as necessary from August 1st to October 1st to consider the equalization of all property assessments and all requests for adjustments of assessments by taxpayers.
- 3) If additional meetings are deemed necessary, the meetings shall be mandatory and not run later than the third Monday in November of each year.
- 4) Each Equalization Board member will be paid a per diem rate of \$100.00 dollars for each additional meeting day that is deemed necessary after the month of August.
- 5) EMERGENCY CLAUSE. Whereas, the Faulkner County Equalization Board will soon begin to conduct its official meetings, and, whereas, members of said Board should be compensated for attendance at such meetings and other necessary expenses should be paid, therefore, an emergency is hereby declared to exist and this Ordinance, being necessary for the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

[Ord. 1977-033](#), passed 08-16-1977; Am. [Ord. 2015-028](#), passed 09-15-2015)

§ 230.10 COUNTY DEPOSITORY BOARD ESTABLISHED.

- 1) Under the provisions of Act 250 of 1987 of the 1987 Legislative Session, The Faulkner County Depository Board is hereby established with this Board being composed of the County Judge, County Treasurer and the Collector and/or Sheriff.
- 2) The Faulkner County Depository Board will make timely investments of public funds consistent with the prudent investment practices.
- 3) EMERGENCY CLAUSE. In order to properly manage the County funds and all other public funds held by the County Treasurer and Collector, it is necessary that this Ordinance take effect immediately. Therefore, an emergency is declared to exist, and this Ordinance

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shall be fully in effect after approval and passage.

([Ord. 1990-003](#), passed 02-20-1990)

§ 230.11 BOARD OF ELECTION COMMISSIONERS ESTABLISHED.

- 1) Faulkner County Quorum Court Ordinances 77-13 (February 15, 1977), 77-22 (May 17, 1977), and 84-15 (October 17, 1984) are repealed in their entirety and replaced with the following.
- 2) The information contained in this Ordinance complies with Ark. Code Ann. § 7-4-101 through and including § 7-4-113.
- 3) The Faulkner County Election Commissioners shall receive as compensation for their services, the sum of fifty dollars (\$50.00) per day or portion of a day, for each day actually engaged in the performance of their official duties at any Countywide Special or General Election.
- 4) All costs of preparing voting machines for any Countywide Special or General election including the cost of supplies and the transportation of the machines to and from the polling places, shall be paid from the County General Fund. Mechanics or experts employed by the Faulkner County Election Commission to assist in the preparation of voting machines may also be compensated for travel mileage in the amount of twenty-five cents per mile, in addition to any professional fees. Any compensation paid to the mechanics or experts shall be made only upon submission of a voucher to the County Clerk. The Chairperson of the Election Commission shall sign the voucher, to attest to the services and/or mileage.
- 5) All Judges, Clerks, and Sheriffs of elections shall receive, as compensation for their services, the sum of fifty dollars (\$50.00) per day, for each day actually engaged in the performance of their official duties at any countywide Special or General election. Each Judge of the election shall receive travel expenses in the amount of twenty-five cents per mile, for carrying returns from his/her precinct to the County Election Commission's office. The County Election Commissioners shall certify via signed voucher, the compensation of the Judges, Clerks and Sheriffs and the mileage of the Judge.
- 6) EMERGENCY CLAUSE. This Ordinance, being necessary for the proper and timely conduct of County operations, to include any forthcoming special elections, an emergency is hereby declared to exist and this Ordinance shall be in force and shall take effect upon passage and publication.
([Ord. 1977-013](#), passed 02-15-1977; Am. Ord. 1977-022, passed 05-17-1977; Am. Ord. 1985-015, passed 10-17-1984; Am. [Ord. 1992-008](#), passed 03-18-1992)

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§ 230.12 REORGANIZING THE LIBRARY BOARD.

- 1) The existing Faulkner County Library Board is hereby declared to be terminated and dissolved, effective on the effective date of this Ordinance, except that such Board shall be deemed to have the power to conduct any and all business necessary to effect an orderly transfer of authority to the new Board created by this Ordinance, provided that such transfer shall be completed prior to June 30, 1978.

- 2) The functions, duties and jurisdiction formerly vested in the Faulkner County Library Board shall henceforth be vested in the Faulkner County Library Department and its Administrative Board, both of which are hereby created by this Ordinance, in accordance with Section 107 of Act 742 of 1977, Acts of Arkansas.

- 3) The Administrative Board of the Faulkner County Library Department shall be empowered with all powers enumerated in Section 103 of Act 742 of 1977, as well as with all powers normally incidental to the administration of a Library Department, and the Administrative Board is hereby assigned responsibility for the operation of the Library Department. The Administrative Board of the Library Department shall number five (5) and each of those five (5) shall be appointed by the County Judge of Faulkner County with each appointment requiring confirmation by the Faulkner County Quorum Court. The term of any Administrative Board member so appointed shall be for a term of five (5) years; provided, however, that the initial appointment of the Administrative Board shall provide for the appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term; thereby providing for the appointment of one (1) member of the Administrative Board each year after the initial appointment. No Administrative Board member shall be appointed for more than two (2) consecutive terms. Each person appointed to the Administrative Board shall be a qualified elector of Faulkner County, and each person so appointed shall within ten (10) days from the date of appointment subscribe to the oath of office and shall file evidence thereof with the Faulkner County Clerk.

- 4) The Administrative Board of the Faulkner County Library Department shall be empowered to contract with the appropriate bodies of Van Buren County in order that the Faulkner-Van Buren Regional Library may continue to function.

- 5) The County Clerk of Faulkner County shall maintain a register of County Administrative Board appointments and shall include therein all appointments to the Administrative Board created by this Ordinance, as well as all pertinent information incidental to such appointments, as specified by Section 104 of Act 742 of 1977.

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- 6) SEVERABILITY CLAUSE AND REPEALER. All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of sections which are not deemed to be unlawful or unconstitutional. All ordinances and parts of ordinances in conflict herewith are hereby repealed.
- 7) EMERGENCY CLAUSE. The continued operation of the Faulkner County Library and the Faulkner-Van Buren Regional Library is deemed essential to the citizens of Faulkner County, and to the peace, health, welfare and safety of Faulkner County citizens, and therefore an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1978-008](#), passed 02-08-1977)

§ 230.13 ROADS ADMINISTRATIVE BOARD; CREATED.

- 1) a. A STUDY ON THE FEASIBILITY OF NAMING ROADS AND HOUSING NUMBERING SYSTEM IN THE UNINCORPORATED AREAS OF FAULKNER COUNTY, developed by the ad hoc Faulkner County Roads Advisory Committee is hereby adopted by reference and will be used as a guide in the complete implementation of naming all county roads and the assignment of house numbers in the unincorporated areas of Faulkner County.
- b. Recommended names furnished by this Committee for specific roads appearing as an attachment to the cited study are hereby adopted as a matter of record.
- 2) a. Pursuant to the provisions of Section 100 of Act 742 of 1977 as amended (Short Title, The Arkansas County Government Code), there is hereby created the Faulkner County Roads Administrative Board as defined by Section 103 (2) of the Act.
- b. The initial Faulkner County Roads Administrative Board shall be appointed during the month of June 1988 and the term of office shall begin on July 1, 1988. One member shall be appointed for a one-year term, one member for a two-year term, one member for a three-year term, one member for a four-year term, and one member for a five-year term, thereby providing for an appointment of one member annually, thereafter. Appointment for succeeding terms shall be made as of July 1, of each year.
- c. Board members shall be appointed by the County Judge, subject to confirmation of the Quorum Court, and shall consist of representation of the Conway Regional Hospital, the various Post Offices within Faulkner County, state and/or local emergency services organizations, telephone companies providing services within Faulkner County, and the County at Large.

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- d. A member of the Faulkner County Roads Administrative Board shall be removed only for cause by the County Judge with confirmation by resolution of the Quorum Court; provided, however, that written notification stating the causes for removal shall be provided to such Board member prior to the meeting at which the Quorum Court shall consider such approval and such Board member shall be afforded the opportunity to meet with the Quorum Court in their deliberation of the removal. Judicial appeal from removal shall be as provided by law.
- 3) The initial meeting of the Faulkner County Roads Administrative Board, its regular and special meetings, the quorum necessary to transact business, its organization, and other matters shall be as required by Section 105 of Act 742 as amended.
- 4) The original authority and responsibilities of the Faulkner County Roads Administrative Board shall specifically include:
 - a. Further implementation of names assigned to Faulkner County Roads to include all existing and/or all projected roads within the County. Road names approved by the Board will be certified to the County Judge who, by Court order, will officially approve the action.
 - b. Implementation of a continuing system to assign a house numbering system to all dwellings in the unincorporated areas for the necessary functioning of the 9-1-1 Emergency Telephone System as established by Faulkner County Ordinance 86-10.
 - c. Other areas as may be subsequently established by ordinance of the Quorum Court.
- 5) EMERGENCY CLAUSE. As the naming system for County Roads and a house numbering system is vital for the proper functioning of the 9-1-1 Emergency Telephone System as established by Faulkner County Ordinance 86-10, an emergency is hereby declared to exist, therefore, the provisions of this Ordinance will be in full force and effect upon passage and approval.
([Ord. 1987-008](#), passed 05-20-1987; Am. [Ord. 1988-008](#), passed 04-20-1988; Am. [Ord. 1988-011](#), passed 06-13-1988)

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Article IV. COUNTY POLICIES.

Section

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General Policies

§ 240.00 FINANCIAL MANAGEMENT SYSTEM.

- 1) REPEALER. Faulkner County Ordinance 1977-040 is repealed in its entirety.
- 2) The Financial Management System developed by the Legislative Auditor, State of Arkansas, as required under the provisions of Act 122 of the 1981 Legislative Session is hereby adopted by Faulkner County.
- 3) All purchases of five hundred dollars (\$500.00) or more are to be paid out of Capital Outlays.
- 4) The governmental accounting system will be established and maintained by the Faulkner County Treasurer in accordance with directives from the Legislative Auditor, State of Arkansas.
- 5) Payment of approved claims will be made by check in accordance with the procedures previously developed under the provisions of Act 22 of the 1975 Legislative Session.
- 6) Recurring financial reports of the Faulkner County Treasurer will be mailed or otherwise delivered to each member of the Faulkner County Quorum Court and to each constitutional officer as soon as possible after the last day of each month.
- 7) EMERGENCY CLAUSE. This Ordinance being necessary for the continuing fiscal affairs of Faulkner County, an emergency is hereby declared to exist; therefore, this Ordinance shall be in full force and effect after its passage and approval.
(Ord. 1977-040, passed 10-18-1977; Am. [Ord. 1985-003](#), passed 03-20-1985; Am. [Ord. 1999-004](#), passed 02-17-1999)

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§ 240.02 JUDGE TO DESIGNATE CERTAIN AREAS IN COUNTY BUILDINGS AS NO SMOKING AREAS.

- 1) The County Judge is hereby authorized to designate specific areas in County Buildings such as hallways, restrooms, or other areas open to the general public as no smoking areas.
- 2) The County Judge shall post or have posted “No Smoking” signs, which shall be displayed in conspicuous locations within the designated no smoking areas. These signs shall use either the phrase “No Smoking” or the international no smoking symbol or both.
- 3) For the purpose of this Ordinance, smoking shall be defined as carrying or holding of a lighted pipe, cigar or cigarette of any kind or any other lighted smoking equipment or the lighting or emitting or exhaling the smoke of a pipe, cigar, or cigarette of any kind.
([Ord. 1994-007](#), passed 05-20-1994)

§ 240.03 GUIDELINES FOR LAND TITLE/ABSTRACT COMPANIES TO USE THE COUNTY COMPUTER SYSTEM.

- 1) A limit of five (5) ports for Land Title/Abstract Companies use is hereby established.
- 2) Any connecting firm must have been in business in Faulkner County for at least two (2) years or shall post a one hundred thousand dollar (\$100,000.00) corporate bond payable to Faulkner County for any damage to the County Computer System.
- 3) Land Title/Abstract Companies shall not sub-contract with other agencies.
- 4) Each Land/Title Abstract Company asking for this service shall pay a license fee to Faulkner County in the amount of ten thousand dollars (\$10,000.00) for a start-up fee for the first year.
- 5) Each Land/Title Abstract Company that ties into the system shall pay an annual fee of five thousand dollars (\$5,000.00) thereafter, due on each anniversary date.
- 6) Each Land/Title Abstract Company shall pay for all the start-up expenses, including modem, and any repair service associated with their equipment, and must use the same service company employed by Faulkner County.
- 7) All equipment purchases must be pre-approved by Faulkner County and must be compatible with the County’s Computer System.

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- 8) All access of the Computer System by Land/Title Abstract Companies shall be limited to the hours the Courthouse is open for business.
- 9) All access to the Faulkner County computer ports shall be by direct access from customer location to computer ports. No switch access will be permitted.
([Ord. 1994-016](#), passed 08-17-1994)

§ 240.04 ADOPTING THE OFFICIAL FAULKNER COUNTY FLAG.

- 1) We, the Faulkner County Quorum Court, do hereby adopt as the official Faulkner County Flag, the flag designed by Jacob Turner of Vilonia.
- 2) This flag resembles the Arkansas State Flag, with red, white and blue coloring and a large diamond in the center of the flag. The diamond is bordered by twenty-five (25) stars, which symbolizes Arkansas as the Twenty Fifth (25th) State admitted to the Union. The shape of Faulkner County is outlined in the center of the diamond, which indicates the central location of the County within the State. The words “Faulkner County, Established 1873” are printed on the flag.
([Ord. 1991-012](#), passed 04-17-1991)

§ 240.05 ADOPTING THE OFFICIAL FAULKNER COUNTY SEAL.

- 1) We, the Faulkner County Quorum Court, do hereby adopt as the official Faulkner County Seal, the seal designed by Suzanne Waggoner of Mount Vernon.
- 2) The Seal is described as follows:
 - a. MOTTO: “TOGETHER FOR A BRIGHTER FUTURE” – supports the belief that the citizens of Faulkner County are our greatest resource.
 - b. A man with an agricultural background is shaking hands with a man from a business background.
 - c. The sun is rising on a future that is bright for everyone. Women and children are included, as women are now very much at home and in the workplace. Women also nurture the children that will become our future County members. It is necessary for the sun to rise on everyone equally.
 - d. Grazing cattle relate to all of Faulkner County’s livestock interests, not just the beef industry.
 - e. The river represents all bodies of water in our County.

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- f. The evergreens illustrate the timber interests as well as the recreational potential.
- g. The shocks of wheat are bound by a loose cord. Wheat is a traditional symbol for success and abundance and is associated with prosperity.
([Ord. 1992-028](#), passed 12-15-1992)

§ 240.06 REGULATING THE CONCEALED CARRY OF HANDGUNS ON COUNTY PROPERTY.

- 1) Any Faulkner County employee or elected official who is licensed to carry a concealed handgun is hereby allowed to carry the type of weapon named on the license in accordance with Act 1259 of 2015, on County property as specified in Act 1259.
- 2) The licensee is still prohibited from carrying a weapon in a detention facility, in an office of the Sheriff's Department, in the Faulkner County Justice Building, or in any Courtroom without permission from the Presiding Judge.
- 3) The licensee who chooses to carry a firearm pursuant to Act 1259 and this Ordinance shall maintain possession of such firearm on their person or locked in a secure location at all times on County property.
- 4) The language of Sections 1 through 3 of this Ordinance shall be incorporated into the Faulkner County Personnel Manual and the County Security and Emergency Preparedness Plan upon passage.
([Ord. 2015-029](#), passed 11-17-2015)

§ 240.07 TRANSFER OF LAPTOPS, PRINTERS AND RTAL PRINTING PAPER TO OTHER COUNTIES.

- 1) The County Judge and County Clerk are hereby authorized to sell any surplus laptops, printers and Rtal printing paper to other Counties as provided for in A.C.A. § 14-16-116.
- 2) EMERGENCY CLAUSE. The adoption of this Ordinance is an emergency, given the need for the machines by other Counties specifically and therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage and approval.
([Ord. 2017-024](#), passed 07-18-2017)

§ 240.08 GUIDELINES FOR POSTING RECORDINGS OF QUORUM COURT MEETINGS ONLINE.

- 1) The County Clerk and I.T. Department shall establish a process to post the recordings of the Quorum Court meetings on the County website.

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- 2) The recordings of each meeting shall be posted on the County website no less than one (1) week after the Quorum Court meeting.
- 3) All documents, proposed resolutions and Ordinances shall be submitted to the Secretariat by 12:00 noon, three (3) business days before the day of a scheduled Quorum Court meeting. Such documents shall be posted to the County website within twenty-four (24) hours of receipt by the Secretariat.
- 4) In the event a special Quorum Court meeting is called, then all documents, proposed resolutions and Ordinances shall be submitted to the Secretariat no less than twenty-four (24) hours before the date of the special meeting.
- 5) This Ordinance repeals previous ordinances to the extent that they conflict, and it is incorporated into the 2019 Organizational Ordinance of this Court.
- 6) The rule established in paragraph three (3) by this Ordinance may be waived by a simple majority of the Court.
- 7) EMERGENCY CLAUSE. The need for the above provisions has been recognized as urgent and therefore an emergency thus this Ordinance shall be effective upon signing.
([Ord. 2018-016](#), passed 08-21-2018; Am. [Ord. 2019-023](#), passed 06-04-2019)

**§ 240.09 GUIDELINES FOR POSTING COUNTY SPENDING INFORMATION
ONLINE.**

- 1) Ensuring that all County spending information shall be placed online allows residents to know how their County Government is conducting business and spending their tax money. Transparency is essential to building public trust and ensuring citizens are informed.
- 2) All expenses shall be placed online on the County Website for Faulkner County citizens to review so they can see how their public officials are spending their tax dollars.
- 3) All of the information required shall be categorized by year. The information shall include year, month, payee, amount paid and fund source.
- 4) All of the information required in the above sections shall be updated monthly.
- 5) The data is not intended to supplement or replace any annual financial reports or audited reports. Any applicable financial reports or audit reports shall be posted to the County website within two (2) weeks of being received.

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- 6) This Ordinance shall not require disclosure of personal names or information of non-elected individuals.
([Ord. 2019-028](#), passed 08-20-2019)

§ 240.10 INVENTORY CONTROL MANAGEMENT SYSTEM.

- 1) There is hereby established an Inventory Control Record System for Faulkner County, such system to be administrated by the County Judge as the custodian of county property as designated by Amendment 55, Section 3, and by Act 742 of 1977, Section 78 (B)(3). This system shall be administered in accordance with State statutes, this Ordinance, and subsequent Ordinances as enacted by the Quorum Court.
- 2) An inventory control card shall be completed on each fixed asset, belonging to the County. For the purposes of this Ordinance, a fixed asset is defined as any land, building, improvement, or equipment having a life span of longer than one year and a value of five hundred dollars (\$500.00) or more in the case of land, buildings, and improvements, and a value of five-hundred dollars (\$500.00) or more in the case of equipment. Specifically excluded from the County property to be inventoried under this system are those books and records the custody, care, and retention of which are regulated by Arkansas statute.
- 3) Each inventory control card shall contain the serial number (if appropriate), of the inventoried item, the date of acquisition, the purchase order number (if appropriate), and the purchase price or fair market value. The listing shall also include the office or agency utilizing the item, the permanent location of the item, and a description. Those pieces of County equipment which do not have a serial number affixed by the manufacturer shall have a County serial number attached. In those cases where a purchase price is not available, the County Assessor shall determine the fair market value.
- 4) The inventory control cards of items purchased solely from Federal funds shall be annotated to reflect the source of such funds; if an inventoried item has been purchased from formula type grants involving local/State/Federal funds, the inventory control card shall be annotated accordingly.
- 5) The inventory control cards shall be kept in duplicate, with the original filed in the office of the County Judge and a copy maintained by the office or agency utilizing the fixed asset. The County Judge shall be responsible for seeing that the cards are filled out properly and kept up-to-date. The cards may be destroyed after the annual inventory is completed and the accountable official signs the consolidated inventory listing provided in conjunction with the annual inventory.
- 6) In compliance with appropriate statutes and Ordinances, the County Judge shall establish standard record forms, inventory verification procedures, and identification methods.

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- 7) Hereafter, the County Judge shall conduct an annual inventory of all county property and shall report his findings to the Quorum Court on or before the first regular meeting in February of each calendar year. The County Judge may conduct additional inventories of any or all County property at any time to verify the status and location of inventoried items.
- 8) Once a fixed asset is entered into the Inventory Control Record System, it shall not be moved from the location specified upon the inventory control card without prior approval of the County Judge.
- 9) Items may be removed from the Inventory Control Record System through sale, verified loss, normal wear and/or use, or trade-in on new equipment. All such removals shall be reported to the Quorum Court at its next meeting subsequent to the removal.
- 10) It shall be the responsibility of each County officer and/or major activity supervisor to safeguard all inventoried items charged to his or her functional area and to report promptly to the County Judge, in writing, any loss or removal, the County Judge shall immediately conduct a survey to determine the circumstances involved and shall report such loss or removal to the Quorum Court. Provided, that nothing herein shall be construed to preclude any appropriate legal liability or legal action under the laws of the State of Arkansas.
- 11) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the public peace, health, and safety shall be in full force and effect from and after its passage and approval.
([Ord. 1977-027](#), passed 07-05-1977; Am. [Ord. 1991-010](#), passed 04-17-1991; Am. [Ord. 1999-003](#), passed 02-17-1999)

§ 240.11 AUTHORIZING CONTRACTS BETWEEN THE COUNTY AND DFA.

- 1) That the Faulkner County Quorum Court hereby requests authority in the name of Faulkner County to participate in state contracts which the Department of Finance and Administration, Office of State Purchasing, has entered into for the purchase of supplies, services, equipment and certain materials pursuant to the State Purchasing Law and Amendment 54 to the Arkansas Constitution.
- 2) That the Faulkner County Quorum Court is hereby authorized to agree in the name of Faulkner County to be bound by all contract terms and conditions as the Department of Finance and Administration, Office of State Purchasing, prescribes. Such terms and conditions may include a reasonable fee to cover the administrative costs which the Department of Finance and Administration incurs as a result of Faulkner County's participation in a contract. Further, that the Faulkner County Quorum Court does hereby agree to be bound by all such terms and conditions.

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- 3) That the Faulkner County Quorum Court is hereby authorized to agree in the name of Faulkner County to directly pay the vendor, under such state contract in which it participates, for items it receives pursuant to the contract, and that the Faulkner County Quorum Court does hereby agree to directly pay the vendor.
([Ord. 1989-024](#), passed 09-13-1989)

§ 240.12 COUNTY JUDGE RESPONSIBLE FOR DATA PROCESSING EQUIPMENT.

- 1) Faulkner County Ordinance 81-2 (March 24, 2981) is repealed in its entirety.
- 2) The Office of the County Judge is hereby designated as the county activity responsible for the data processing equipment, services and operations; all costs connected with the use of the data processing system by the various county offices shall be charged against each office's operating expenses based upon each office's pro-rata use of the system.
- 3) EMERGENCY CLAUSE. As a functioning Data Processing System is integral for Faulkner County's services, this Ordinance is necessary for the continuity of services, an emergency is hereby declared to exist. Therefore, this Ordinance shall take effect from and after its passage and publication.
([Ord. 1981-002](#), passed 03-24-1981; Am. [Ord. 1993-002](#), passed 01-20-1993; Am. [Ord. 1993-003](#), passed 02-17-1993)

§ 240.13 ESTABLISHING VOTE CENTERS.

- 1) The Faulkner County Board of Election Commissioners has voted to establish Vote Centers in Faulkner County, rather than polling sites. A polling site can serve only its immediate vicinity, whereas any Faulkner County voter can vote at any Vote Center, thus serving the convenience of the voters as never before.
- 2) Arkansas Code Annotated § 7-5-101 requires the County Clerk to certify that "The County has a secure electronic connection sufficient to prevent: an elector from voting more than once; and unauthorized access to a computerized registration book maintained by the County Clerk".
- 3) Margaret Darter, the Faulkner County Clerk, has certified the required information to this Court, attached as Exhibit "A".
- 4) Vote Centers are hereby approved for Faulkner County, subject to the remaining requirements of A.C.A. § 7-5-101.
- 5) SEVERABILITY CLAUSE. If any provision or section of this Ordinance is held invalid by a Court of Competent Jurisdiction, such invalidity shall not affect other provisions and

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sections of this Ordinance, and to such end the provisions and sections of this Ordinance are declared severable.

- 6) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval.
([Ord. 2015-044](#), passed 12-15-2015)

Employee / Employment Policies

§ 250.00 RECORDING VACATION AND SICK DAYS OF COUNTY EMPLOYEES.

- 1) Each department head or elected official will be responsible with keeping a record of their employee's vacation and sick time. This record will be kept in conjunction with the records in the Faulkner County Clerk's Office.
- 2) The Faulkner County Clerk will keep the original records in his/her respective.
- 3) When an employee's employment ends with Faulkner County, the records of the elected official or department head will be used in the determination of sick days and vacation days accrued.
([Ord. 2001-017](#), passed 06-20-2001)

§ 250.01 PERSONNEL POLICY.

- 1) Faulkner County Personnel Manual 2015 is hereby adopted as the policy regulating personnel matters for all county employees, beginning May 1, 2015.
- 2) Implementation of the Manual shall be directed by the Human Resources Officer of the County Judge's Office, and enforced with the budget authority of the Quorum Court.
- 3) REPEALER. All ordinances in conflict with this Manual are hereby repealed.
([Ord. 1977-024](#), passed 06-07-1977; Am. Ord. 1991-027, passed 08-08-1991; Am. [Ord. 1992-002](#), no passage date; Am. [Ord. 1992-011](#), passed 04-01-1992; Am. [Ord. 1995-016](#), passed 11-22-1995; Am. [Ord. 1998-011](#), passed 04-22-1998; Am. [Ord. 2001-017](#), passed 6-20-2001; Am. [Ord. 2006-017](#), passed 7-18-2006; Am. [Ord. 2007-004](#), passed 02-20-2007; Am. [Ord. 2007-017](#), passed 05-15-2007; Am. [Ord. 2009-006](#), passed 03-17-2009; Am. [Ord. 2010-004](#), passed 02-16-2004; Am. [Ord. 2010-024](#), passed 09-21-2010; Am. [Ord. 2014-010](#), passed 03-18-2014; Am. [Ord. 2014-031](#), passed 12-17-2014; Am. [Ord. 2015-021](#), passed 06-16-2015; Am [Ord. 2015-030](#), passed 09-16-2015; Am. [Ord. 2015-036](#), passed 01-20-2016; Am. [Ord. 2016-022](#), passed 08-17-2016; Am. Ord. 2016-042, no passage date; Am. [Ord. 2016-046](#), passed 12-20-2016; Am. [Ord. 2017-020](#), passed 05-16-2017; Am. [Ord. 2018-017](#), passed 08-21-2018)

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§ 250.02 TRAVEL REIMBURSEMENT.

- 1) Employees or elected officials of Faulkner County will be reimbursed up to, but not to exceed, \$45.00 (forty-five dollars) per day for in state travel, \$75.00 (seventy-five dollars) a day for out of state travel, for meals while traveling on work related business. To be eligible for reimbursement the employee or elected official must be staying overnight, out of town and submit itemized receipts. No alcohol purchases will be reimbursed. Any purchases over the above-mentioned amounts, or for alcohol or not on an itemized receipt will be the responsibility of the traveler and not eligible for reimbursement. No tips will be reimbursed.
- 2) The issuance of credit cards will be at the discretion of the elected official. Credit cards shall only be used for work related purchases and an itemized receipt, from the place of purchase, must accompany the credit card bill submitted for payment. Any credit card charge purchase not accompanied by an itemized receipt, will be the responsibility of the purchaser. It shall be considered a violation of this Ordinance to knowingly purchase items for personal use on a county issued credit card, with the intent of reimbursing the County.
- 3) Cell phone and pager issuance to County employees, whose job description requires they be away from the office regularly and must maintain contact to effectively or safely perform their duties, will be left to the discretion of the elected official. Cell phones issued and paid by the County are for business use only. Each elected official is responsible for monitoring the phone's usage pursuant to the personnel manual. If not provided by the department or office and the employee submits a reimbursement request for the telephone usage, an itemized cellular bill must accompany the purchase order for payment.
- 4) Faulkner County will not reimburse or pay college tuition for its employees or elected officials.
- 5) All airline travel should utilize coach accommodations. No first-class travel will be authorized or reimbursed.
- 6) Room rates should be limited to single room or government rates, unless occupied by more than one employee. No in room movie charges, game charges, or entertainment charges of any kind will be reimbursed by Faulkner County.
- 7) County funds can only be used to purchase the meals or provide refreshment or meals at meetings/trainings held by Faulkner County elected officials, when a written agenda is submitted with the reimbursement request. Any purchases made that fall outside these parameters are the responsibility of the purchaser.

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- 8) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance is necessary for the proper and timely conduct of county operations and this Ordinance shall be in force and take effect upon its passage and publication.
([Ord. 1981-004](#), passed 04-21-1981; Am. [Ord. 1991-003](#), passed 02-19-1991; Am. [Ord. 1999-014](#), passed 08-18-1999; Am. Ord. 2005-003, passed 7-19-2005; Am. [Ord. 2005-005](#), passed 02-15-2015; Am. [Ord. 2005-013](#), passed 07-19-2005 Am. [Ord. 2005-016](#), passed 8-16-2005; Am. [Ord. 2007-016](#), passed 05-15-2007, Am. [Ord. 2012-005](#), passed 02-21-2012)

§ 250.03 ETHICAL CONDUCT REQUIREMENT.

- 1) DEFINITION OF OFFICIALS AND EMPLOYEES.
- a) All elected county and township officers;
 - b) All district judicial officers serving a county;
 - c) All members of county boards, advisory, administrative, or subordinate service districts;
 - d) All employees thereof.
- 2) The following shall be considered rules of conduct for all officials and county employees:
- a) No public official or county employee shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or his or her spouse, child, parents, or other persons standing in the first degree of relationship, or for those with whom he or she has a substantial financial relationship, that are not available to others except as may be otherwise provided by law; further, no public official or county employee shall accept employment or engage in any public or professional activity while serving as a public official which he or she might reasonably expect would require or induce him or her to disclose any information acquired by him or her by reason of his or her official position which is declared by law or regulation to be confidential.
 - b) The officer or employee may not use his or her office, the influence created by his or her official position, or information gained by virtue of his or her position to advance his or her individual personal economic interest or that of an immediate member of his or her family or an associate, other than advancing strictly incidental benefits as may accrue to any of them from the enactment or administration of law affecting the public generally.
 - c) No public official or employee shall be interested, either directly or indirectly, in any contract or transaction made, authorized, or entered into on behalf of the county or an entity created by the county, or accept or receive any property,

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money, or other valuable thing for his or her use or benefit on account of, connected with, or growing out of any contract or transaction of a county. Further, any discounts, allowances, or credits given as a result of the type of contract contemplated above, shall be for the sole benefit of the County.

- d) No public official or employee shall acquire an interest in any business or undertaking which he or she has reason to believe may be directly affected to its economic benefit by official action to be taken by county government. Should the official or employee have an interest in any business or undertaking, prior to becoming an official or employee, which may have a direct effect on its economic viability by official action to be taken by county government, the official or employee shall withdraw its offer of goods or services from consideration or the Quorum Court shall, by Ordinance, permit consideration of the goods or services due to specifically delineated unusual circumstances as set forth in the relevant Arkansas statutes.
- 3) **VIOLATION OF THE RULES OF ETHICAL CONDUCT.** Any citizen of a county or the prosecuting attorney of a county may bring an action in the Circuit Court in which the county government is located to remove from office any officer or employee who has violated the rules of conduct set forth in this section. Pending final judgment, an officer or employee who has been charged as provided in this section may be suspended from his or her office or position of employment, without pay, by Order of the presiding Circuit Judge. Should the officer or employee be acquitted, that officer or employee shall be reinstated and receive all applicable back pay as if that officer or employee had never been suspended. Upon acquittal, the officer or employee shall be awarded reasonable legal fees as determined by the Circuit Court or Appellate Court(s). Any award of legal fees shall be paid out of the general fund of the County Treasurer.
- 4) **PUNISHMENT.** A conviction of this Ordinance shall be deemed a misdemeanor and a fine shall be levied in an amount not less than three hundred dollars (\$300.00) or more than one thousand dollars (\$1,000.00), and the convicted officer or employee shall be removed from office or employment.
- 5) **REPEALER.** All local laws or parts of laws in conflict with this Ordinance are hereby repealed to the extent of the conflict.
- 6) **SEVERABILITY CLAUSE.** If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions of the Ordinance, which remains effective absent the invalid provision, and to this end, the provisions of the Ordinance are declared to be severable.
- 7) **EMERGENCY CLAUSE.** In order to ensure the public trust is maintained in Faulkner County. An emergency hereby exists, and this Ordinance, being for the immediate

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preservation of the public trust, shall be in full force upon passage, approval, and publication by the local officials.

([Ord. 2010-004](#) , passed 02-16-2010)

§ 250.04 HOSPITAL AND MEDICAL BENEFITS FOR OFFICERS AND EMPLOYEES.

- 1) Effective July 1977, the “Road Employees” of Faulkner County shall have the same hospital and medical benefits as the “Courthouse Employees”.
- 2) Effective July 1, 1977, Faulkner County shall pay only the individual premiums for all officers and employees of Faulkner County.
- 3) Effective July 1, 1977, the term “officers and employees of Faulkner County”, for the purpose of determining hospital and medical benefits, shall include only the full-time county officers and employees whose salaries are paid from funds expressly appropriated by the Faulkner County Quorum Court.
- 4) Employees of other Faulkner County agencies (including the Faulkner County Library, the Faulkner County Health Department, and the Faulkner County Board of Education), whose salaries are not paid from funds expressly appropriated by the Faulkner County Quorum Court, may elect to participate in the Faulkner County group hospital and medical insurance program, but such employees must pay their own premiums or have the premiums paid by their employing agencies; provided, that money for such premiums shall be deposited with the County Clerk by the last day of each calendar month.
- 5) Employees of Faulkner County who receive their compensation through federally funded programs may elect to participate in the Faulkner County group hospital and medical insurance program, but such employees must pay their own premiums; provided that money for such premiums shall be deposited with the County Clerk by the last day of each calendar month.
- 6) Faulkner County Justices of the Peace may elect to participate in the Faulkner County group hospital and medical insurance program, but each Justice must pay his or her own premium; provided that money for such premium shall be deposited with their County Clerk by the last day of each calendar month.
- 7) Each individual referred to in Sections 3, 4, 5, and 6 above may elect to purchase family or dependents’ benefits or other insurance under the Faulkner County group hospital and medical insurance program, but each individual unit must pay his or her own premiums for such additional benefits or protections.

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- 8) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall be in force and effect from and after its adoption.

([Ord. 1977-024](#), passed 06-07-1977)

§ 250.05 EMPLOYEE DIRECT DEPOSIT ESTABLISHED.

- 1) The Faulkner County Quorum Court, as authorized by Arkansas Code Annotated § 14-24-121, does hereby authorize Faulkner County to establish an electronic warrants transfer (direct deposit) system directly into payees' accounts in financial institutions in payment of any account allowed against the County. The electronic payment method to be established shall provide for the appropriate internal accounting controls and documentation for audit and accounting purposes.
- 2) The electronic warrants transfer system established under Section 1 shall be submitted to and approved by the Legislative Joint Auditing Committee of the Arkansas General Assembly prior to implementation.
- 3) EFFECTIVE DATE. This Ordinance shall be effective on the thirtieth (30th) day after publication.
([Ord. 2015-011](#), passed 03-17-2015)

§ 250.06 RETIRED EMPLOYEE'S HEALTH INSURANCE PARTICIPATION.

- 1) It is in the best interest of Faulkner County, County elected officials, retired employees, and part-time employees that they participate in the County's Health Insurance program.
- 2) In addition to other eligible persons the following persons are eligible to participate in the County Health Insurance program, at the person's own expense, provided that the person meets all other eligibility requirements from the health insurance program:
 - a. Former Faulkner County elected officials.
 - b. Former and current Justices of the Peace.
 - c. Part-time Faulkner County employees, while employed by the County.
 - d. Authorized volunteers including Faulkner County Emergency Squad and Faulkner County Sheriff's Office Reserves.
 - e. Former Faulkner County employees who:
 - i. Have at least 5 years' active County employment, or

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- ii. Are retired and receiving County retirement benefits, or
 - iii. Who have suffered a disability as determined by the Workman's Compensation Commission.
- 3) Regarding the aforementioned persons, in order to participate and remain eligible the following requirements must be met, in addition to all other County health insurance program eligibility requirements:
 - a. The person must complete and maintain the required documentation with the County Clerk's office; and
 - b. Payment of the premium must be made at the person's expense and must be made in a timely manner.
- 4) This Ordinance shall not operate to terminate eligibility for any person who is currently participating in the County's health insurance program.
- 5) SEVERABILITY CLAUSE. This provisions of this Ordinance are hereby declared to be separable and if any section, phrase, or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.
- 6) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist and shall be in full force and effect from and after its passage and signature by the County Judge.
(Ord. 1987-020, no passage date; Am. [Ord. 1988-015](#), passed 09-19-1988; Am. [Ord. 2013-003](#), passed 02-19-2013)

§ 250.07 POSTING REQUIREMENTS FOR VACANT ADMINISTRATIVE BOARDS AND COMMISSION POSITIONS.

- 1) The County's Information Technology Department shall post in a prominent position on the start page of the County's website a link titled VACANT ADMINISTRATIVE BOARDS AND COMMISSION POSITIONS.
- 2) A user's selection of this link shall transfer control to a listing of all currently vacant appointed positions on all Faulkner County Administrative Boards and Commissions.
- 3) Information about each vacant position shall include the appointment period, a brief description of the function and duties of a Board member, residency requirements, an application form, and any other information unique to a Board appointment.

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- 4) Vacancies on all County Administrative Boards or Commissions shall be posted on the County's website and social media for fourteen (14) days prior to the appointment date.
- 5) Citizens may submit an application to the County Judge's office in order to be considered for any vacancy to an Administrative Board or Commission.
([Ord. 2017-009](#), passed 04-19-2017)

§ 250.08 BI-MONTHLY PAY DATES ESTABLISHED.

- 1) The salaries of Faulkner County officers, their deputies, other employees of Faulkner County, and other County officials paid bi-monthly, shall be paid in equal installments on the fifteenth day and the last working day of each calendar month for services rendered.
- 2) The salaries of other Faulkner county officials, including Justices of the Peace, paid on a monthly basis, shall be paid on the last working day of each calendar month for services rendered.
- 3) REPEALER. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.
- 4) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the public peace, health, and safety, shall be in full force and effect from and after its date of passage and approval.
(Ord. 1977-038, passed 09-06-1977)

Purchasing Policies

§ 260.00 WEBSITE DESIGNATED FOR THE ONLINE POSTING OF AN INTENTION TO RECEIVE BIDS.

- 1) Upon completion of the requisite statutory notice procedures, the County Judge, pursuant to A.C.A. § 22-9-90, for all procurement matters which have been authorized by law shall have the ability to post online advertisements for notices of intentions to receive bids at <https://www.faulknercounty.org/business/rfp>.
([Ord. 2019-044](#), no passage date)

§ 260.01 ESTABLISHING AN OPEN AND TRANSPARENT BIDDING AND CONTRACTING PROCESS.

- 1) Ensuring that bid information shall be placed online allows residents to know how their county government is conducting business and spending their tax money. Transparency is essential to building public trust and ensuring citizens are informed.

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- 2) All bids as required by statute shall be posted on the County website shall include the following: BID/RFP Title, BID/RFP Document/Description, Date Posted, Due Date. All bidders and bid information to include winning company/bidder, bid amounts, initial contract period/renewal time frame.
- 3) All of the information required in the above sections shall be posted within ten (10) working days of final bid award.
([Ord. 2019-022](#), passed 07-17-2019)

§ 260.02 RECOGNIZING PARAMEDIC AMBULANCE SERVICES AS A PROFESSIONAL SERVICE.

- 1) The Quorum Court of Faulkner County, Arkansas declares Paramedic Ambulance Services to be a professional service.
- 2) Pursuant to A.C.A. § 19-11-801(c), competitive bidding shall not be used for the procurement of Paramedic Ambulance Services in Faulkner County, but pursuant to the abovementioned statute, the County shall select three (3) qualified Paramedic Ambulance Firms and shall then select the firm considered the best qualified and capable of performing the desired work and negotiate a contract for the project with the firm selected.
- 3) In evaluating the qualifications, the county shall consider the following:
 - a. The specialized experience and technical competence of the firm with respect to the type of professional services required; and
 - b. The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project; and
 - c. The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules and deadlines; and
 - d. The firm's proximity to and familiarity with the area in which the project is located.
- 4) SEVERABILITY CLAUSE. In the event any portion of this Ordinance is declared or adjudged invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this

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Ordinance and the remaining portions of the Ordinance shall be executed fully and faithfully.

- 5) REPEALER. All ordinances and resolutions, and parts thereof, which are in conflict with any provision of this Ordinance are hereby repealed to the extent of such conflict.

- 6) EMERGENCY CLAUSE. An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of County operations and this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 2008-021](#), passed 09-16-2008)

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Article V. EMERGENCIES: PLANS, SYSTEMS AND FEES

A.C.A. § 14-14-1107. Natural disasters.

In any county in which a natural disaster, including but not limited to a tornado or flood, results in the county being declared a disaster area by the Governor, an appropriate official of the United States Government, or the county judge is authorized to use county labor and equipment on private property to provide services which are required as a result of the natural disaster.

A.C.A. §§ 12-75-101-133. Arkansas Emergency Services Act of 1973.

Section

General

- | | |
|--------|--|
| 270.00 | Exposure control plan. |
| 270.01 | 9-1-1 service charge set at 5% of the basic tariff rate. |
| 270.02 | Election to fund the implementation of the 9-1-1 emergency telephone system and to provide a service charge. |

Flooding

- | | |
|--------|----------------------------------|
| 280.00 | Flood damage prevention program. |
|--------|----------------------------------|

General

§ 270.00 EXPOSURE CONTROL PLAN.

- 1) The Faulkner County Exposure Control Plan developed by this Court is hereby adopted, by reference, as the guide for procedures to be used in the further conduct of the County's exposure control function.
- 2) Implementation of the Faulkner County Exposure Control Plan and subsequent administration thereof shall be an administrative function of the County Judge's Office.
- 3) A copy of the Faulkner County Exposure Control Plan and any initiated changes thereto shall be maintained by the Faulkner County Clerk.
([Ord. 1992-024](#), no passage date)

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§ 270.01 9-1-1 SERVICE CHARGE SET AT 5% OF THE BASIC TARIFF RATE.

- 1) A five percent (5%) service charge shall be levied on the basic tariff rate approved by the Arkansas PSC on access lines of the system.
- 2) Said five percent (5%) service charge shall begin to be collected April 1987.
- 3) Said service charge shall be collected by the various telephone companies servicing the Faulkner County area and shall be subject to the appropriate administrative fee as outlined by state statute.
- 4) Said service charge shall be turned over to the Faulkner County Treasurer on a quarterly basis, less administrative fee.
- 5) The Faulkner County 9-1-1 Advisory Board shall make recommendations to the Quorum Court on the appropriate uses of the service charge.
- 6) EMERGENCY CLAUSE. The Quorum Court for the County of Faulkner, Arkansas has determined that there is a great need to establish a county-wide emergency dispatch and, to comply with Arkansas election laws, an emergency is hereby declared and this Ordinance shall be in full force after its passage.
([Ord. 1987-002](#), passed 02-02-1987)

**§ 270.02 ELECTION TO FUND THE IMPLEMENTATION OF THE 9-1-1
EMERGENCY TELEPHONE SYSTEM AND TO PROVIDE A SERVICE CHARGE.**

- 1) An election will be held on Tuesday, November 4, 1986 for the purpose of approving or rejecting an Ordinance for funding of a 9-1-1 Emergency Telephone System within the County of Faulkner, Arkansas. Said funding to be derived from a service charge, not to exceed five percent (5%) of the tariff rate approved by the Arkansas Public Service Commission, on access lines of the system. Said service charge shall begin to be collected immediately after approval of the voters.
- 2) At said election to be held for that purpose, the voters will be asked to vote on the following question:

FOR a service charge to provide 9-1-1 Emergency Telephone System

AGAINST a service charge to provide 9-1-1 Emergency Telephone System
- 3) REPEALER. All laws or parts of laws inconsistent herewith are hereby repealed.

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- 4) The telephone service provider shall retain an amount equal to one percent (1%) of the total revenue collected for their handling costs, as authorized by Act 683 of 1985, and the remaining revenue shall be tendered to Faulkner County within fifteen (15) days following each calendar quarter. The telephone provider shall also submit to the Faulkner County Treasurer's Office the funds collected as a 9-1-1 service charge from other political subdivisions for which the 9-1-1 Communications Center acts as Public Safety Answering Point and with whom a mutual aid agreement has been established for provision of 9-1-1 services. The Treasurer will deposit the revenue into the County General Fund to be handled in accordance with established procedures.

- 5) EMERGENCY CLAUSE. The Quorum Court for the County of Faulkner, Arkansas, has determined that there is a great need to establish a county-wide emergency dispatch and, to comply with Arkansas election laws, an emergency is hereby declared and this Ordinance shall be in full force after its passage.
([Ord. 1986-010](#), passed 08-20-1986)

Flooding

§ 280.00 FLOOD DAMAGE PREVENTION PROGRAM.

- 1) STATUTORY AUTHORITY. The Legislature of the State of Arkansas has in Ark. Code Ann. §§ 14-268-101, *et seq.*, delegated the responsibility of local governmental units to adopt regulations to minimize flood losses. Therefore, the Quorum Court of Faulkner County, Arkansas does hereby ordain as follows:

- 2) FINDINGS OF FACT.
 - a. The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Faulkner County in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Faulkner County Arkansas and Incorporated Areas" dated March 21, 2019, with an effective Flood Insurance Rate Map (FIRM) dated March 21st, 2019.

 - b. These Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protected and relief, all of which adversely affect the public health, safety and general welfare.

 - c. These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or

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otherwise unprotected structures or uses vulnerable to floods into Special Flood Hazard Areas. Such structures or uses are inherently hazardous to other lands because of their adverse impact on flooding events.

- d. FEMA has also identified areas of flood risk within Faulkner County in the current scientific and engineering report entitled “Cadron Watershed, AR Base Level Engineering Results, HUC-11110205,” dated June 2018 and Flood Risk Report Cadron Watershed, AR HUC11111205 dated July 2018.
- 3) **STATEMENT OF PURPOSE.** The purpose of this Ordinance is to promote the public health, safety and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified Special Flood Hazard Areas. This Ordinance advances the stated purpose through provisions designed to:
- a. Protect human life and health;
 - b. Protect natural floodplains against unwise development;
 - c. Eliminate adverse impacts of necessary floodplain development;
 - d. Minimize expenditure of public monies on flood control projects;
 - e. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - f. Minimize prolonged business interruptions due to flooding events;
 - g. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Special Flood Hazard Areas;
 - h. Minimize future flood blight areas to help maintain a stable tax base; and
 - i. Provide for notice to potential buyers when property is in a Special Flood Hazard Area.
- 4) **LANDS TO WHICH THIS ORDINANCE APPLIES.** This Ordinance shall apply to:
- a. All Special Flood Hazard Areas within the jurisdiction of Faulkner County, and

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- b. Areas within the jurisdiction of Faulkner County where Base Level Engineering is available.
- 5) **METHODS OF REDUCING FLOOD LOSSES.** This Ordinance uses the following methods to accomplish the stated purpose:
- a. This Ordinance restricts or prohibits structures or uses in Special Flood Hazard Areas that adversely impact health, safety or property during flooding events;
 - b. This Ordinance requires protection against flood damage for structures or uses vulnerable to floods at the time of initial construction, or after substantial improvement of the structure, or after substantial damage has occurred;
 - c. This Ordinance controls the alteration of natural flood plains, stream channels and natural protective barriers which are involved in the accommodation and transport of flood waters;
 - d. This Ordinance controls floodplain development (structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations and other activities) which may increase flood damage by increasing flood elevations, flood water velocities, or flood discharge patterns;
 - e. This Ordinance regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands.
- 6) **FLOOD DAMAGE PREVENTION CODE ADOPTED BY REFERENCE.** There is hereby adopted by reference a “Flood Damage Prevention Code for Faulkner County, Arkansas” dated February 26, 2019. The code shall include:

ARTICLE I DEFINITIONS

ARTICLE II ADMINISTRATION

ARTICLE III PROVISIONS FOR FLOOD HAZARD REDUCTION

A copy of the referenced code shall be filed in the office of the County Clerk, and shall be available for inspection and copying by any person during normal office hours.

- 7) **ABROGATION AND GREATER RESTRICTIONS.** This Ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Whenever there is a

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conflict or overlap between this Ordinance and another ordinance, easement, covenant or deed restriction, the instrument with the more stringent restrictions applies.

- 8) **INTERPRETATION.** In the interpretation and application of this Ordinance, all provisions must:
- a. Be considered as minimum requirements;
 - b. Be liberally construed in favor of the governing body; and
 - c. Be deemed to neither limit nor repeal any other powers granted under State statutes.
- 9) **WARNING AND DISCLAIMER OF LIABILITY.** The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes. Documented scientific and engineering data form the basis for these requirements. On rare occasions, flooding events greater than those considered for this Ordinance will occur. In addition, flood heights may increase over time due to man-made or natural causes. This Ordinance does not imply that land outside Special Flood Hazard Areas will be free from flooding, nor that strict adherence to this Ordinance protects uses permitted within Special Flood Hazard Areas from all flood damages. This Ordinance specifically does not create liability on the part of the community, nor any official or employee of the community, for any flood damages that result while strictly following this Ordinance, or from any lawful administrative decision made under the provisions of this Ordinance.
- 10) **COMPLIANCE.** Constructing, locating, substantially altering or changing the use of any structure or land after the effective date of this Ordinance requires full compliance with the provisions of this Ordinance and all other applicable regulations.
- 11) **PENALTY FOR NON-COMPLIANCE.** Flood hazards are reduced by compliance with the provisions of this Code. Accordingly, enforcement of this Ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.
- a. The Floodplain Administrator must enforce the provisions of this Ordinance and is authorized to:
 - i. Issue cease and desist orders on non-compliant floodplain development projects;

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- ii. Notify local law enforcement officers and provide the requisite information and evidence as to afford them the necessary tools to issue citations for non-compliance;
 - iii. Determine the presence of nuisance and if a nuisance is determined to be in existence, the Floodplain Administrator may petition a court of competent jurisdiction to enjoin the person or entity which owns the property or which is in actual or apparent control of the premises from maintaining the nuisance and the maintenance therefore may be abated; This action is not to be construed as a limitation placed upon any other citizen from filing an action to enjoin and abate the condition;
 - iv. Request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-compliant properties; and
 - v. Take any other lawful action necessary to prevent or remedy any instance of non-compliance with the provisions of this Ordinance.
- b. It is a violation to fail to comply with any provision of this Ordinance.
- c. Any person found, in a court of competent jurisdiction, guilty of violating this Ordinance is subject to fines of not more than \$500.00 per day for each violation; in addition the defendant is subject to payment of all associated court costs involved in the case.

12) SEVERABILITY CLAUSE. If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this Ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this Ordinance.

13) EMERGENCY CLAUSE. It is hereby found and declared by Faulkner County that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this Ordinance become effective immediately.

Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

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([Ord. 1990-019](#), passed 08-28-1990; Am. [Ord. 1994-012](#), passed 06-22-1994; Am. [Ord. 1997-007](#), passed 04-16-1997; Am. [Ord. 2003-005](#), passed 02-19-2003; Am. [Ord. 2006-021](#), passed 09-19-2006; Am. [Ord. 2008-017](#), passed 08-19-2008; Am. [Ord. 2011-015](#), passed 08-16-2011; Am. [Ord. 2019-006](#), passed 03-20-2019)

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Article VI. COUNTY FUNDS AND FEES

Section

- 290.00 Health Department to collect a fee for services provided which are not mandated by state law.
- 290.01 Drug buy fund established.
- 290.02 Public defender fund for defense of indigent persons.
- 290.03 Fee for the cost of road identification signs in platted subdivisions.
- 290.04 Apportioning monies derived from the fire protection premium tax fund to the districts and municipalities within the County.

§ 290.00 HEALTH DEPARTMENT TO COLLECT A FEE FOR SERVICES PROVIDED WHICH ARE NOT MANDATED BY STATE LAW.

- 1) The Faulkner County Health Department shall charge a twenty-five (\$25.00) dollar fee for the inspection, test, and report on an existing water and/or individual sewage disposal system. There shall be a charge of ten (\$10.00) dollars for each successive trip to the same site.
- 2) This Ordinance shall apply only to such services as are not mandated by State Law.
- 3) The funds collected under the provisions of this Ordinance shall be placed in the County Health Inspection Fee Fund Code 25.
- 4) The funds collected under this Ordinance shall be appropriated by the Quorum Court and shall be used in part to reimburse the County's share of appropriation to the Faulkner County Health Department.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist and therefore the provisions of this Ordinance shall be in full force and effect after passage and approval. ([Ord. 1987-010](#), passed 06-17-1987)

§ 290.01 DRUG BUY FUND ESTABLISHED.

- 1) All monies received by the Sheriff's Department from voluntary contributions and forfeitures shall be deposited in the County General Fund (01) as Special Asset Forfeiture FCSO (01-7608).

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- 2) Funds expended from this account shall be for the expenses incurred as a result of civil/criminal investigations or for the purchase of equipment necessary for civil/criminal investigations.
- 3) The Sheriff's Department may use such funds as are necessary from time to time by following the current purchase order system in Faulkner County.
- 4) The name of the fund will now be known as the "Drug Buy Fund".
- 5) The maximum amount for the fund shall not exceed \$10,000.00 per Ark. Code Ann. § 14-21-201.
- 6) The "Drug Buy Fund" monies may be used for direct expenses associated with the investigation of the criminal drug laws of this state, such as, but not limited to, the purchase of evidence, payment of informants, relocation and/or security of witnesses, emergency supply purchases and emergency travel expenses, per Ark. Code Ann. § 14-21-202.
- 7) EMERGENCY CLAUSE. It is hereby determined that the adoption of this Ordinance is necessary for the welfare of the citizens of Faulkner County, therefore an emergency is hereby declared to exist, and this Ordinance shall be in force and shall take effect upon passage and approval.
([Ord. 1993-014](#), passed 07-20-1993; Am. [Ord. 1993-022](#), passed 11-17-1993; Am. [Ord. 2000-018](#), passed 11-22-2000)

§ 290.02 PUBLIC DEFENDER FUND FOR DEFENSE OF INDIGENT PERSONS.

- 1) On the authority of Section 15 (d) of Act 1193 of 1993 there is hereby established the Public Defender Fund which will be used to defray the allowable costs incurred in the legal representation of indigent persons in Faulkner County, Arkansas.
- 2) Effective upon the passage and approval of this Ordinance, the Chancery, Circuit, Probate, Municipal, City and Police Courts of the County are hereby directed to add the sum of five (\$5.00) dollars to their filing fees, or to tax as costs the sum of five (\$5.00) dollars for all civil cases filed in said courts, and upon a person upon conviction, plea of guilty, plea of nolo contendere, or bond for forfeiture, in all felony, misdemeanor, traffic violation cases for violation of State Law or Local Ordinance, and violation of City Ordinances. No fees shall be taxed as costs in any action filed in small claims court.

All fees so collected are to be paid to the Faulkner County Treasurer by the fifth (5th) day of the month following the collection, and the Treasurer will create and maintain an account with these funds which will be entitled "Public Defender Fund".

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All payments out of the Public Defender Fund will be for the payment of reasonable and necessary costs incurred in the legal representation of indigent person in Faulkner County as required by Act 1193 of 1993, on the condition that the presiding Judge of the Court has made a finding that the defendant is, in fact, indigent under standards to be established by the Arkansas Public Defender Commission.

- 3) No costs incurred prior to the effective date of Act 1193 of 1993 shall be paid from the fund created by this Ordinance.
- 4) EMERGENCY CLAUSE. This Ordinance being necessary for the protection and preservation of public health and safety, an emergency is hereby declared to exist, and this Ordinance shall be in force and shall take effect upon passage and publication.
- 5) REPEALER. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed. Ordinance 1992-004 is hereby specifically repealed.
(Ord. 1981-007, passed 07-21-1981; Am. Ord. 1982-017, passed 09-21-1982; Am. Ord. 1987-004, passed 11-18-1987; Am. [Ord. 1992-004](#), no passage date; Am. [Ord. 1993-015](#), passed 08-17-1993)

§ 290.03 FEE FOR THE COST OF ROAD IDENTIFICATION SIGNS IN PLATTED SUBDIVISIONS.

- 1) A fee will be charged for the road identification markers installed by Faulkner County 9-1-1, in platted subdivisions, within Faulkner County.
- 2) The Developer will be responsible for purchasing signs. Signs must be purchased from Faulkner County. Signage costs will be based on the sign materials, including post, bracket, sign, lettering and installation.
- 3) Faulkner County 9-1-1 will be responsible for installing and maintaining the signs.
- 4) EMERGENCY CLAUSE. An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of County operations and this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 2007-006](#), passed 02-20-2007)

§ 290.04 APPORTIONING MONIES DERIVED FROM THE FIRE PROTECTION PREMIUM TAX FUND TO THE DISTRICTS AND MUNICIPALITIES WITHIN THE COUNTY.

- 1) Pursuant to A.C.A. §§ 14-284-101, *et seq.*, the Faulkner County Quorum Court hereby adopts the IGC's proposed apportionments and authorizes the suggested distributions.

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- 2) Should any fire department which is otherwise eligible to receive funds from the Fire Protection Premium Tax Funds (the “Fund”) fail to qualify for its distribution in any particular year, that portion of the Fund attributed to a department that fails to qualify shall be distributed to the remaining qualified departments within Faulkner County in shares consistent with that specifically set forth in Faulkner County Ordinance 10-02 and subsequent amendments.

- 3) Any department’s loss of funds from the Fund shall be for that fiscal period within which the department is ineligible. Should the department remedy the circumstances which rendered it ineligible or unqualified, the department or departments shall be eligible to receive funds from the Fund the following fiscal period.

- 4) SEVERABILITY CLAUSE. Should any court of competent jurisdiction find that any section, clause, sentence, or phrase of this Ordinance is invalid or unconstitutional, the finding of invalidity or unconstitutionality in no way affects the validity of the remaining portions of this Ordinance and it shall be as if the invalid or unconstitutional section, clause, sentence, or phrase was omitted from the original.

- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of county operations and this Ordinance shall be in force and take effect upon passage and publication.
([Ord. 2010-002](#), passed 02-16-2010; Am. [Ord. 2010-009](#), passed 03-16-2010)